

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

1981 Second Special Session

Convened November 9, 1981

Adjourned Sine Die December 2, 1981

1982 First Special Session

Convened March 12, 1982

Adjourned Sine Die April 10, 1982

1982 Regular Session

Convened January 11, 1982

Adjourned Sine Die March 11, 1982

1982 Second Special Session

Convened June 26, 1982

Adjourned Sine Die July 2, 1982



William M. Polk, Speaker

Otto Amen, Speaker Pro Tempore

Vito T. Chiechi, Chief Clerk (Resigned 4/6/82)

Patricia Williams, Chief Clerk (4/7/82-4/10/82)

Franz Wiechers-Gregory, Chief Clerk (elected 4/10/82)

Donald Meyer, Assist. Chief Clerk (elected 4/10/82)

Eljo Sutherland, Minute/Journal Clerk

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Compiled, Edited and Indexed by
Eljo Sutherland, *Minute/Journal Clerk*

FIRST DAY
SECOND SPECIAL SESSION

MORNING SESSION

House Chamber, Olympia, Wash., Monday, November 9, 1981.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Hastings and Tupper, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rachel Shaw and Scott Nelson. Prayer was offered by The Reverend Charles Loyer, Westminster United Presbyterian Church of Olympia.

MESSAGES FROM THE SECRETARY OF STATE

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

We herewith respectfully transmit for your consideration, HOUSE BILL NO. 371, HOUSE BILL NO. 537, HOUSE BILL NO. 697, and HOUSE BILL NO. 705, each of which was vetoed by the Governor after the adjournment of the previous session, together with the respective veto messages setting forth his objections to each bill as provided by Article III, Section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this ninth day of November, 1981.

(Seal of the State of Washington)

RALPH MUNRO, Secretary of State

The Honorable William M. Polk,
Speaker of the House of Representatives
The Legislature of the State of Washington
Olympia, Washington
Dear Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington and custodian of the official seal of the State, do hereby certify that the attached copy of the proclamation of the Governor calling an extraordinary session of the Legislature of the State of Washington to convene on the 9th day of November, 1981, is a true, correct and complete copy of the original of said proclamation now on file in this office.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the State of Washington. Done at the Capitol at Olympia on the 6th day of November, 1981.

(Seal of the State of Washington)

RALPH MUNRO, Secretary of State.

PROCLAMATION OF GOVERNOR

The State of Washington faces a financial crisis unprecedented in scope and depth. The short-term and long-term financial health of the state government, as well as those essential services that depend on a fiscally sound government, have been jeopardized by a national recession that acutely affects the State of Washington, by high inflation, by reductions in federal monies going to the states, and by a dramatic reduction in state revenues, which will not now meet even the severely reduced biennial budget enacted by the 1981 Regular Session. This financial crisis must be met by positive and timely action by the Washington State Legislature.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7, of the State Constitution, do hereby convene the Washington State Legislature in special (extraordinary) session for a period not exceeding 30 days in the capitol at Olympia, at 9:00 a.m., November 9, 1981. The session is convened for the purpose of enacting measures necessary to effect feasible state expenditure reductions, to provide additional state and local revenues, and to preserve public safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 6th day of November, A. D., nineteen hundred and eighty-one.

(Seal of State of Washington)

JOHN SPELLMAN,
GOVERNOR

There being no objection, the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-87, by Representatives Nelson (G) and Ehlers:

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

On motion of Mr. Nelson (G), the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Resolution No. 81-87, the Speaker appointed Representatives Fancher, Tilly, Erak and Owen to notify the Senate that the House was organized and ready for business.

APPEARANCE OF SPECIAL COMMITTEE

Senators Lee, Bluechel and Wilson appeared at the bar of the House, and reported that the Senate was organized and ready to do business.

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

The House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 30, by Representative Nelson (G):

Directing a Joint Session of the Legislature.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and House Concurrent Resolution No. 30 was advanced to second reading and read the second time in full.

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

REPORT OF SPECIAL COMMITTEE

The Special Committee appointed by the Speaker appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready for business.

The report was received and the committee retired.

MESSAGE FROM THE SENATE

November 9, 1981

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 123,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 123, by Senators Hayner, Jones, Bottiger and Fleming:

Notifying the Governor that the Legislature is organized.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution No. 123 was advanced to second reading and read the second time in full.

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

APPOINTMENT OF COMMITTEE

Under the terms of Senate Concurrent Resolution No. 123, the Speaker appointed Representatives Eberle, McDonald, Brown and Sommers, with a committee from the Senate, to notify the Governor that the Legislature was organized.

INTRODUCTION OF NEW MEMBER

The Speaker introduced Representative Duane L. Kaiser from Legislative District No. 2, who had been appointed to replace Representative Erickson.

REPORT OF SPECIAL COMMITTEE

The Special committee appointed by the Speaker to notify the Governor that the Legislature was organized appeared at the bar of the House and reported that they had notified the Governor.

The report was received and the committee retired.

JOINT SESSION

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

The Speaker requested the Sergeants at Arms to escort President of the Senate John A. Cherberg, President Pro Tem Sam C. Guess and Vice President Pro Tem George W. Clarke to seats on the rostrum.

The Speaker requested the Sergeants at Arms to escort the Senate members to seats within the House Chamber.

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

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

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Charnley and Fleming, who were excused.

The President of the Senate appointed Representatives Barnes, Sanders, Winsley, Kreidler and Maxie and Senators Hemstad, Talmadge, Gould and Rasmussen to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President of the Senate appointed Representatives Houchen, Mitchell and North and Senators Scott, Gaspard and Sellar to escort the State Elected Officials to seats within the House Chamber.

The President of the Senate appointed Representatives Nelson (G) and Ehlers and Senators Metcalf and Hansen to escort Governor Spellman to the rostrum.

Lieutenant Governor Cherberg introduced Governor Spellman.

GOVERNOR'S MESSAGE

Governor Spellman: "Governor Cherberg, Mr. Speaker, members of the Legislature, ladies and gentlemen: We come together today to head off catastrophe. I've called you into Special Session to meet an unprecedented challenge.

"Six months ago, when your last session ended, I congratulated you for responsibly meeting the challenges that you faced then. We cut back the growth of state government by \$850 million. Since that last time we met, the state government has absorbed a further \$400 million cut in federal revenue. If we had not met today, and if we fail to meet the clear and present danger that confronts us today, the result would be certain across-the-board catastrophe. The law dictates that unless we act in this special session, the ten percent cuts will stand and the courts still may conclude that those cuts must be twenty percent in all areas except the common schools. But cuts of that depth would be catastrophic and chaotic. If we fail to meet the present challenge, there will be no choice but to turn violent prisoners free on the streets. If we fail to meet the challenge, there will be no choice but to abandon more mentally ill to wander the sidewalks helplessly—those streets and sidewalks grow more crowded every day with the unemployed, the hapless victims of national recession. If we fail, access to higher education will be severely restricted. If we fail, we shall fundamentally weaken the basic education of every

child in our state and that means throwing away our future. If we fail, the safety match that makes the difference between despair and hope for the genuinely needy, the poor, the aged, the handicapped and the dependent children will be ripped to shreds. We must not let that happen. It would set the state back half a century. Worse, it would jeopardize the fundamental institutions that we, the people of the State of Washington, have so carefully built and nurtured.

"Be it resolved, that we shall not fail. To succeed we must adopt a balanced program that maintains vital services while paring the desirable services. Those vital services that cannot sustain further cuts must be protected from disintegration by additional taxation.

"Now, none of us like the idea of increasing a single tax, and none of our constituents want to pay an unnecessary tax, but after we have already made substantial cuts in programs, the alternative to taxation is to abandon the state's historical commitment to those critical services that maintain domestic tranquility, that protect our quality of life and secure the opportunity of every Washingtonian to pursue happiness. We can abandon our heritage and put our state's future at great risk or we can increase taxes to the extent necessary to maintain those most vital services during a period of temporary recession.

"For me the choice is clear—I choose a fair tax increase—not catastrophe. I choose compassion, not chaos; I choose prisons and other institutions adequate to meet our needs. I choose quality education for our children. I choose economic development to fight recession. I choose to keep the safety nets in place. I choose to care. Throughout our history the people of the State of Washington have chosen to care. In good times and in bad times, Washingtonians have courageously protected and assisted the most fragile members of our society. We have always helped the helpless.

"It will take courage to keep that faith, to do what must be done. The easy course is to point fingers of blame for our present plight. The convenient course is to split on party lines and bog down in inaction. The self-satisfying course is to let others cast the tough votes and sometimes unpopular votes, but that is not the history of the State of Washington or of its legislature.

"In our first meeting in these chambers, last January, we were faced with a mandate to cut the size of the growth of state government and we are succeeding. We face another mandate today. It is a mandate of conscience. The future of the state of Washington will be decided within the next few weeks. The Legislature of this state now holds the social fabric of our society in its hands and it must decide whether to protect it or to allow it to unravel. When I first met with you last January 14th, I spoke of the possibility of a new era of candor, a year of candor and cooperation between the executive and the legislative branches. I said that working together we can meet any challenge, and I am today even more committed to that pledge of cooperation. Let both branches of government, let both Houses of the Legislature, both sides of the aisle rededicate ourselves to working together with mutual respect, for the times and the people we serve demand no less. We must succeed in meeting this mandate of conscience and with God's help we shall."

The President of the Senate requested the special committee to escort Governor Spellman from the House to his office.

The President of the Senate requested the special committees to escort the Supreme Court Justices and the State Elected Officials from the House Chamber.

On motion of Mr. Nelson (G), the Joint Session was dissolved.

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

The Speaker requested the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tem Guess and Vice President Pro Tem Clarke and the Senators to the Senate Chamber.

The House resumed its session.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-88, by Representative Nelson (G):

WHEREAS, A Select Committee on Regulatory Reform has met during the course of the interim; and

WHEREAS, The Select Committee has developed significant proposals for enhancing productivity in both the public and private sectors by eliminating unproductive regulation;

NOW, THEREFORE, BE IT RESOLVED, That there is hereby established a Select Committee on Deregulation and Productivity; and

BE IT FURTHER RESOLVED, That the Select Committee established herein shall consist of five members to be appointed by the Speaker, with no more than three members to be of the majority party; and

BE IT FURTHER RESOLVED, That the Select Committee established herein shall have the full powers of a standing committee including, but not limited to, the power to receive measures for consideration and to report such measures to the Rules Committee with recommendation for action by the House.

MOTION

Mr. Nelson (G) moved adoption of the resolution.

Representatives Ehlers and Walk spoke against the resolution, and Representative Nelson (G) spoke in favor of it.

House Resolution No. 81-88 was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 756, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to public assistance; amending section 1, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.005; amending section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 20, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.510; amending section 22, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.____; adding new sections to chapter 74.04 RCW; adding a new section to chapter 74.12 RCW; repealing section 9, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.525; and declaring an emergency.

To Committee on Human Services

HOUSE BILL NO. 757, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to the certificate of need program; amending section 2, chapter 161, Laws of 1979 ex. sess. as amended by section 2, chapter 139, Laws of 1980 and RCW 70.38.025; amending section 10, chapter 161, Laws of 1979 ex. sess. as amended by section 7, chapter 139, Laws of 1980 and RCW 70.38.105; amending section 9, chapter 139, Laws of 1980 and RCW 70.38.111; and declaring an emergency.

To Committee on Human Services

HOUSE BILL NO. 758, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to agencies serving children, developmentally disabled persons, or expectant mothers; amending section 1, chapter 172, Laws of 1967 as amended by section 70, chapter 80, Laws of 1977 ex. sess. and RCW 74.15.010; amending section 2, chapter 172, Laws of 1967 as last amended by section 83, chapter 155, Laws of 1979 and RCW 74.15.020; amending section 4, chapter 172, Laws of 1967 as amended by section 356, chapter 141, Laws of 1979 and RCW 74.15.040; amending section 5, chapter 172, Laws of 1967 as amended by section 357, chapter 141, Laws of 1979 and RCW 74.15.050; amending section 9, chapter 172, Laws of 1967 as amended by section 73, chapter 80, Laws of 1977 ex. sess. and RCW 74.15.090; amending section 10, chapter 172, Laws of 1967 as amended by section 360, chapter 141, Laws of 1979 and RCW 74.15.100; amending section 12, chapter 172, Laws of 1967 as amended by section 361, chapter 141, Laws of 1979 and RCW 74.15.120; amending section 13, chapter 172, Laws of 1967 as amended by section 362, chapter 141, Laws of 1979 and RCW 74.15.130; amending section 14, chapter 172, Laws of 1967 as amended by section 363, chapter 141, Laws of 1979 and RCW 74.15.140; amending section 15, chapter 172, Laws of 1967 and RCW 74.15.150; amending section 84, chapter 155, Laws of 1979 and RCW 74.15.180; amending section 3, chapter 30, Laws of 1965 as last amended by section 76, chapter 155, Laws of 1979 and RCW 74.13.020; adding a new section to chapter 74.15 RCW; and prescribing penalties.

To Committee on Human Services

HOUSE BILL NO. 759, by Committee on Appropriations – Human Services and Representatives Mitchell and Brekke (by Department of Social and Health Services request):

AN ACT Relating to financial responsibility for all services and licensing activities of the department of social and health services; amending section 25, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.250; amending section 15, chapter 298, Laws of 1981 and RCW 13.32A.175; amending section 1, chapter 188, Laws of 1955 as last amended by section 9, chapter 195, Laws of 1981 and RCW 13.34.170; amending section 76, chapter 291, Laws of 1977 ex. sess. and RCW 13.40.220; amending section 5, chapter 253, Laws of 1957 as amended by section 1, chapter 247, Laws of 1971 ex. sess. and RCW 18.20.050; amending section 4, chapter 168, Laws of 1951 and RCW 18.46.030; amending section 5, chapter 168, Laws of 1951 and RCW 18.46.040; amending section 43.20.090, chapter 8, Laws of 1965 as last amended by section 1, chapter 52, Laws of 1979 ex. sess. and RCW 43.20A.630; amending section 183, chapter 35, Laws of 1945 and RCW 50.40.020; amending section 1, chapter 30, Laws of 1974 ex. sess. as last amended by section 11, chapter 171, Laws of 1979 ex. sess. and RCW 51.32.040; amending section 10, chapter 267, Laws of 1955 and RCW 70.41.100; amending section 3, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.220; amending section 4, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.230; amending section 11, chapter 267, Laws of 1955 as amended by section 3, chapter 247, Laws of 1971 ex. sess. and RCW 70.41.110; amending section 10, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.100; amending section 15, chapter 142, Laws of 1973 1st ex. sess. as amended by section 4, chapter 24, Laws of 1973 2nd ex. sess. and RCW 71.05.100; amending section 71.12.470, chapter 25, Laws of 1959 and RCW 71.12.470; amending section 71.12.490, chapter 25, Laws of 1959 as amended by section 4, chapter 247, Laws of 1971 ex. sess. and RCW 71.12.490; amending section 72.23.230, chapter 28, Laws of 1959 as last amended by section 1, chapter 82, Laws of 1971 and RCW 72.23.230; amending section 72.33.180, chapter 28, Laws of 1959 as last amended by section 1, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.180; amending section 9, chapter 126, Laws of 1959 and RCW 72.33.580; amending section 2, chapter 166, Laws of 1969 ex. sess. as amended by section 245, chapter 141, Laws of 1979 and RCW 72.33.840; amending section 74.04.300, chapter 26, Laws of 1959 as last amended by section 2, chapter 84, Laws of 1980 and RCW 74.04.300; amending section 1, chapter 102, Laws of 1973 1st ex. sess. and RCW 74.04.530; amending section 1, chapter 163, Laws of 1981 and RCW 74.04.700; amending section 2, chapter 163, Laws of 1981 and RCW 74.04.710; amending section 5, chapter 322, Laws of 1959 as last amended by section 1, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20.040; amending section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030; amending section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090; adding a new section to chapter 10.82 RCW; adding new sections to chapter 43.20A RCW; adding a new section to chapter 74.09 RCW; adding a new chapter to Title 43 RCW; repealing section 71.02.310, chapter 25, Laws of 1959 and RCW 71.02.310; repealing section 71.02.320, chapter 25, Laws of 1959, section 2, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.320; repealing section 71.02.330, chapter 25, Laws of 1959 and RCW 71.02.330; repealing section 71.02.340, chapter 25, Laws of 1959 and RCW 71.02.340; repealing section 71.02.350, chapter 25, Laws of 1959 and RCW 71.02.350; repealing section 71.02.360, chapter 25, Laws of 1959 and RCW 71.02.360; repealing section 71.02.370, chapter 25, Laws of 1959 and RCW 71.02.370; repealing section 71.02.380, chapter 25, Laws of 1959 and RCW 71.02.380; repealing section 71.02.390, chapter 25, Laws of 1959, section 5, chapter 67, Laws of 1979 ex. sess. and RCW 71.02.390; repealing section 71.02.400, chapter 25, Laws of 1959 and RCW 71.02.400; repealing section 71.02.410, chapter 25, Laws of 1959, section 1, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.410; repealing section 4, chapter 127, Laws of 1967 ex. sess., section 64, chapter 292, Laws of 1971 ex. sess. and RCW 71.02.411; repealing section 5, chapter 127, Laws of 1967 ex. sess., section 126, chapter 141, Laws of 1979 and RCW 71.02.412; repealing section 6, chapter 127, Laws of 1967 ex. sess., section 1, chapter 268, Laws of 1969 ex. sess., section 133, chapter 81, Laws of 1971, section 33, chapter 67, Laws of 1981 and RCW 71.02.413; repealing section 7, chapter 127, Laws of 1967 ex. sess., section 127, chapter 141, Laws of 1979 and RCW 71.02.414; repealing section 8, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.415; repealing section 9, chapter 127, Laws of 1967 ex. sess., section 128, chapter 141, Laws of 1979 and RCW 71.02.416; repealing section 10, chapter 127, Laws of 1967 ex. sess. and RCW 71.02.417; repealing section 71.06.260, chapter 25, Laws of 1959, section 132, chapter 141, Laws of 1979 and RCW 71.06.260; repealing section 1, chapter 141, Laws of 1967, section 237, chapter 141, Laws of 1979 and RCW 72.33.650; repealing section 2, chapter 141, Laws of 1967, section 2, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.655; repealing section 3, chapter 141, Laws of 1967, section 238, chapter 141, Laws of 1979 and RCW 72.33.660; repealing section 4, chapter 141, Laws of 1967, section 3, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.665; repealing section 5, chapter 141, Laws of 1967, section 1, chapter 75, Laws of 1970 ex. sess., section 239, chapter 141, Laws of 1979 and RCW 72.33.670; repealing section 7, chapter 141, Laws of 1967, section 240, chapter 141, Laws of 1979 and RCW 72.33.680; repealing section 8, chapter 141, Laws of 1967, section 241, chapter 141, Laws of 1979 and RCW 72.33.685; repealing section 9, chapter 141, Laws of 1967, section 242, chapter 141, Laws of 1979 and RCW 72.33.690; repealing section 11, chapter 141, Laws of 1967 and RCW 72.33.695; repealing section 12, chapter 141, Laws of 1967, section 243, chapter 141, Laws of 1979 and RCW 72.33.700; repealing section 1, chapter 91, Laws of 1965 ex. sess., section 307, chapter 141, Laws of 1979 and RCW 74.04.305; repealing section 15,

chapter 206, Laws of 1963, section 3, chapter 183, Laws of 1973 1st ex. sess., section 1, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.300; prescribing penalties; and declaring an emergency.

To Committee on Appropriations – Human Services

HOUSE BILL NO. 760, by Committee on Appropriations – Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to nursing homes; amending section 6, chapter 117, Laws of 1951 as last amended by section 17, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.050; amending section 8, chapter 117, Laws of 1951 as amended by section 64, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.070; amending section 63, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.091; amending section 10, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.230; amending section 1, chapter 244, Laws of 1977 ex. sess. as last amended by section 12, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.310; amending section 1, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.610; repealing section 1, chapter 114, Laws of 1979 and RCW 18.52A.010; repealing section 2, chapter 114, Laws of 1979 and RCW 18.52A.020; repealing section 3, chapter 114, Laws of 1979 and RCW 18.52A.030; repealing section 4, chapter 114, Laws of 1979 and RCW 18.52A.040; repealing section 5, chapter 114, Laws of 1979 and RCW 18.52A.050; repealing section 6, chapter 114, Laws of 1979 and RCW 18.52A.060; repealing section 7, chapter 114, Laws of 1979 and RCW 18.52A.070; repealing section 1, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.010; repealing section 2, chapter 211, Laws of 1979 ex. sess., section 6, chapter 184, Laws of 1980 and RCW 74.42.020; repealing section 3, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.030; repealing section 4, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.040; repealing section 5, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.050; repealing section 6, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.060; repealing section 7, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.070; repealing section 8, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.080; repealing section 9, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.090; repealing section 10, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.100; repealing section 11, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.110; repealing section 12, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.120; repealing section 13, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.130; repealing section 14, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.140; repealing section 15, chapter 211, Laws of 1979 ex. sess., section 7, chapter 184, Laws of 1980 and RCW 74.42.150; repealing section 16, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.160; repealing section 17, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.170; repealing section 18, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.180; repealing section 19, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.190; repealing section 20, chapter 211, Laws of 1979 ex. sess., section 8, chapter 184, Laws of 1980 and RCW 74.42.200; repealing section 21, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.210; repealing section 22, chapter 211, Laws of 1979 ex. sess., section 9, chapter 184, Laws of 1980 and RCW 74.42.220; repealing section 18, chapter 184, Laws of 1980 and RCW 74.42.225; repealing section 23, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.230; repealing section 24, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.240; repealing section 25, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.250; repealing section 26, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.260; repealing section 27, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.270; repealing section 28, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.280; repealing section 29, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.290; repealing section 30, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.300; repealing section 31, chapter 211, Laws of 1979 ex. sess., section 10, chapter 184, Laws of 1980 and RCW 74.42.310; repealing section 32, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.320; repealing section 33, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.330; repealing section 34, chapter 211, Laws of 1979 ex. sess., section 11, chapter 184, Laws of 1980 and RCW 74.42.340; repealing section 35, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.350; repealing section 36, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.360; repealing section 37, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.370; repealing section 38, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.380; repealing section 39, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.390; repealing section 40, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.400; repealing section 41, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.410; repealing section 42, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.420; repealing section 43, chapter 211, Laws of 1979 ex. sess., section 12, chapter 184, Laws of 1980 and RCW 74.42.430; repealing section 44, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.440; repealing section 45, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.450; repealing section 46, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.460; repealing section 47, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.470; repealing section 48, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.480; repealing section 49, chapter 211, Laws of 1979 ex. sess., section 13, chapter 184, Laws of 1980 and RCW 74.42.490; repealing section 50, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.500; repealing section 51, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.510; repealing section 52, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.520; repealing section 53, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.530; repealing section 54, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.540; repealing section 55, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.550; repealing section 56, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.560; repealing section 57, chapter 211, Laws of 1979 ex. sess., section 14, chapter 184, Laws of 1980 and RCW 74.42.570; repealing section 58, chapter 211, Laws of 1979 ex. sess., section 15, chapter 184, Laws of 1980 and RCW 74.42.580; repealing section 59, chapter 211, Laws of 1979 ex. sess., section 16, chapter 184, Laws of 1980 and RCW 74.42.590; repealing section

60, chapter 211, Laws of 1979 ex. sess., section 17, chapter 184, Laws of 1980 and RCW 74.42.600; repealing section 61, chapter 211, Laws of 1979 ex. sess., section 85, chapter 177, Laws of 1980 and RCW 74.42.610; repealing section 62, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.620; repealing section 21, chapter 184, Laws of 1980 and RCW 74.42.630; repealing section 69, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.900; repealing section 70, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.910; and repealing section 72, chapter 211, Laws of 1979 ex. sess., section 19, chapter 184, Laws of 1980 and RCW 74.42.920.

To Committee on Appropriations – Human Services

HOUSE BILL NO. 761, by Committee on Revenue and Representative Greengo:

AN ACT Relating to revenue and taxation; amending section 3, chapter 130, Laws of 1975–'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 79, chapter 37, Laws of 1980 and RCW 82.12.020; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 762, by Committee on State Government and Representatives Addison and Berleen:

AN ACT Relating to state government; amending section 7, chapter 149, Laws of 1979 and RCW 28A.41-.412; amending section 28B.20.402, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.402; amending section 28B.20.412, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 62, Laws of 1973 and RCW 28B.20.412; amending section 11, chapter 105, Laws of 1975–'76 2nd ex. sess. as amended by section 8, chapter 294, Laws of 1981 and RCW 41.50.090; amending section 4, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.570; amending section 10, chapter 167, Laws of 1975 1st ex. sess. as amended by section 102, chapter 151, Laws of 1979 and RCW 43.19.600; amending section 5, chapter 167, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 169, Laws of 1980 and RCW 43.41.130; amending section 43.43.140, chapter 8, Laws of 1965 and RCW 43.43.140; amending section 43.43.165, chapter 8, Laws of 1965 and RCW 43.43.165; amending section 43.43-.180, chapter 8, Laws of 1965 and RCW 43.43.180; amending section 7, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.330; amending section 2, chapter 169, Laws of 1975 1st ex. sess. as amended by section 128, chapter 158, Laws of 1979 and RCW 46.08.066; amending section 3, chapter 224, Laws of 1951 as amended by section 152, chapter 34, Laws of 1975–'76 2nd ex. sess. and RCW 58.24.020; amending section 3, chapter 134, Laws of 1969 ex. sess. as last amended by section 3, chapter 41, Laws of 1975–'76 2nd ex. sess. and RCW 70.95.030; amending section 1, chapter 101, Laws of 1975–'76 2nd ex. sess. and RCW 70.105.010; amending section 2, chapter 201, Laws of 1963 and RCW 80.40.010; amending section 10, chapter 133, Laws of 1969 ex. sess. as last amended by section 1, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.315; amending section 2, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.370; amending section 3, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.380; amending section 4, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.390; amending section 5, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.400; adding a new section to chapter 38.40 RCW; adding a new section to chapter 78.52 RCW; repealing section 5, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.050; repealing section 6, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.060; repealing section 2, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.260; repealing section 2, chapter 123, Laws of 1980 and RCW 28A.91.100; repealing section 3, chapter 123, Laws of 1980 and RCW 28A.91.110; repealing section 4, chapter 123, Laws of 1980 and RCW 28A.91.120; repealing section 5, chapter 123, Laws of 1980 and RCW 28A.91.130; repealing section 15, chapter 123, Laws of 1980 and RCW 28A.91.900; repealing section 17, chapter 130, Laws of 1943 and RCW 38.12.040; repealing section 18, chapter 130, Laws of 1943 and RCW 38.12.050; repealing section 40, chapter 130, Laws of 1943 and RCW 38.40.030; repealing section 1, chapter 79, Laws of 1979, section 9, chapter 213, Laws of 1981 and RCW 43.06.300; repealing section 2, chapter 79, Laws of 1979 and RCW 43.06.310; repealing section 3, chapter 79, Laws of 1979 and RCW 43.06.320; repealing section 4, chapter 79, Laws of 1979 and RCW 43.06.330; repealing section 5, chapter 79, Laws of 1979 and RCW 43.06.340; repealing section 6, chapter 167, Laws of 1975 1st ex. sess., section 93, chapter 158, Laws of 1979 and RCW 43.19.580; repealing section 17, chapter 62, Laws of 1970 ex. sess., section 68, chapter 141, Laws of 1979 and RCW 43.21A.170; repealing section 18, chapter 62, Laws of 1970 ex. sess., section 100, chapter 34, Laws of 1975–'76 2nd ex. sess. and RCW 43.21A.180; repealing section 19, chapter 62, Laws of 1970 ex. sess. and RCW 43.21A.190; repealing section 20, chapter 62, Laws of 1970 ex. sess., section 47, chapter 75, Laws of 1977 and RCW 43.21A.200; repealing section 21, chapter 62, Laws of 1970 ex. sess. and RCW 43.21A.210; repealing section 1, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.010; repealing section 2, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.020; repealing section 3, chapter 44, Laws of 1975 1st ex. sess., section 102, chapter 34, Laws of 1975–'76 2nd ex. sess. and RCW 43.21E.030; repealing section 4, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.900; repealing section 6, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.910; repealing section 7, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.950; repealing section 8, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.952; repealing section 9, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.954; repealing section 43.43.150, chapter 8, Laws

of 1965 and RCW 43.43.150; repealing section 43.43.160, chapter 8, Laws of 1965 and RCW 43.43.160; repealing section 43.43.190, chapter 8, Laws of 1965 and RCW 43.43.190; repealing section 43.43.240, chapter 8, Laws of 1965 and RCW 43.43.240; repealing section 8, chapter 209, Laws of 1975 1st ex. sess. and RCW 43.51.340; repealing section 43.56.010, chapter 8, Laws of 1965 and RCW 43.56.010; repealing section 43.56.020, chapter 8, Laws of 1965 and RCW 43.56.020; repealing section 43.56.030, chapter 8, Laws of 1965, section 59, chapter 75, Laws of 1977, section 24, chapter 87, Laws of 1980 and RCW 43.56.030; repealing section 43.56.040, chapter 8, Laws of 1965, section 118, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.56.040; repealing section 1, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 2, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 1, chapter 243, Laws of 1967 and RCW 43.94.010; repealing section 2, chapter 243, Laws of 1967 and RCW 43.94.020; repealing section 3, chapter 243, Laws of 1967 and RCW 43.94.030; repealing section 4, chapter 243, Laws of 1967 and RCW 43.94.040; repealing section 5, chapter 243, Laws of 1967 and RCW 43.94.050; repealing section 6, chapter 243, Laws of 1967 and RCW 43.94.900; repealing section 1, chapter 207, Laws of 1955 and RCW 43.96.010 (decodified); repealing section 2, chapter 307, Laws of 1955, section 1, chapter 15, Laws of 1957, section 1, chapter 109, Laws of 1959, section 5, chapter 152, Laws of 1961 and RCW 43.96.020 (decodified); repealing section 3, chapter 307, Laws of 1955, section 2, chapter 15, Laws of 1957 and RCW 43.96.030 (decodified); repealing section 3, chapter 15, Laws of 1957 and RCW 43.96.040 (decodified); repealing section 4, chapter 15, Laws of 1957 and RCW 43.96.050 (decodified); repealing section 2, chapter 109, Laws of 1959 and RCW 43.96.060 (decodified); repealing section 1, chapter 129, Laws of 1961 and RCW 43.96.070 (decodified); repealing section 4, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.040; repealing section 5, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.050; repealing section 7, chapter 3, Laws of 1971 ex. sess. and RCW 43.96B.130; repealing section 41, chapter 99, Laws of 1979 and RCW 43.131.229; repealing section 83, chapter 99, Laws of 1979 and RCW 43.131.230; repealing section 14, chapter 123, Laws of 1980 and RCW 43.131.240; repealing section 1, chapter 10, Laws of 1977 and RCW 70.95.040; repealing section 5, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.050; repealing section 7, chapter 134, Laws of 1969 ex. sess., section 4, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.070; repealing section 13, chapter 49, Laws of 1974 ex. sess., section 163, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.106.130; repealing section 4, chapter 146, Laws of 1951, section 7, chapter 300, Laws of 1961, section 7, chapter 180, Laws of 1971 ex. sess. and RCW 78.52.020; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 763, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to public employment; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; amending section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and RCW 41.06.150; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100; amending section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101; adding new sections to chapter 28B.16 RCW; and adding new sections to chapter 41.06 RCW.

HOUSE BILL NO. 764, by Committee on Revenue and Representative Grengo (by Department of Revenue request):

AN ACT Relating to revenue and taxation; amending section 84.12.200, chapter 15, Laws of 1961 as amended by section 159, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.12.200; amending section 84.12.280, chapter 15, Laws of 1961 and RCW 84.12.280; amending section 84.12.360, chapter 15, Laws of 1961 as amended by section 170, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.12.360; amending section 12, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 3, chapter 127, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.830; and repealing section 84.12.290, chapter 15, Laws of 1961 and RCW 84.12.290.

To Committee on Revenue

HOUSE BILL NO. 765, by Committee on Revenue and Representative Grengo (by Department of Revenue request):

AN ACT Relating to revenue and taxation; and amending section 82.32.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 95, Laws of 1979 ex. sess. and RCW 82.32.030.

To Committee on Revenue

HOUSE BILL NO. 766, by Committee on Revenue and Representatives Ellis and Grengo (by Executive request):

AN ACT Relating to unclaimed property; enacting the Uniform Unclaimed Property Act of 1981; creating new sections; adding new sections as a new chapter in Title 63 RCW; repealing section 1, chapter 385, Laws of 1955, section 27, chapter 26, Laws of 1967 ex. sess., section 6, chapter 107, Laws of 1979 and RCW 63.28.070; repealing section 2, chapter 385, Laws of 1955, section 1, chapter 59, Laws of 1975-'76 2nd ex. sess. and RCW 63.28.080; repealing section 3, chapter 385, Laws of 1955 and RCW 63.28.090; repealing section 4, chapter 385, Laws of 1955 and RCW 63.28.100; repealing section 5,

chapter 385, Laws of 1955 and RCW 63.28.110; repealing section 6, chapter 385, Laws of 1955 and RCW 63.28.120; repealing section 7, chapter 385, Laws of 1955 and RCW 63.28.130; repealing section 8, chapter 385, Laws of 1955 and RCW 63.28.140; repealing section 9, chapter 385, Laws of 1955, section 1, chapter 11, Laws of 1955 ex. sess. and RCW 63.28.150; repealing section 10, chapter 385, Laws of 1955 and RCW 63.28.160; repealing section 11, chapter 385, Laws of 1955 and RCW 63.28.170; repealing section 12, chapter 385, Laws of 1955 and RCW 63.28.180; repealing section 13, chapter 385, Laws of 1955 and RCW 63.28.190; repealing section 14, chapter 385, Laws of 1955 and RCW 63.28.200; repealing section 15, chapter 385, Laws of 1955 and RCW 63.28.210; repealing section 16, chapter 385, Laws of 1955 and RCW 63.28.220; repealing section 1, chapter 117, Laws of 1979 ex. sess. and RCW 63.28.225; repealing section 17, chapter 385, Laws of 1955 and RCW 63.28.230; repealing section 18, chapter 385, Laws of 1955 and RCW 63.28.240; repealing section 19, chapter 385, Laws of 1955 and RCW 63.28.250; repealing section 20, chapter 385, Laws of 1955 and RCW 63.28.260; repealing section 21, chapter 385, Laws of 1955 and RCW 63.28.270; repealing section 22, chapter 385, Laws of 1955 and RCW 63.28.280; repealing section 23, chapter 385, Laws of 1955 and RCW 63.28.290; repealing section 24, chapter 385, Laws of 1955 and RCW 63.28.300; repealing section 25, chapter 385, Laws of 1955 and RCW 63.28.310; repealing section 26, chapter 385, Laws of 1955 and RCW 63.28.320; repealing section 27, chapter 385, Laws of 1955 and RCW 63.28.330; repealing section 28, chapter 385, Laws of 1955 and RCW 63.28.340; repealing section 29, chapter 385, Laws of 1955 and RCW 63.28.350; repealing section 1, chapter 289, Laws of 1959, section 4, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.28.360; repealing section 32, chapter 385, Laws of 1955 and RCW 63.28.900; repealing section 31, chapter 385, Laws of 1955 and RCW 63.28.910; repealing section 30, chapter 385, Laws of 1955 and RCW 63.28.920; prescribing penalties; declaring an emergency; and making an effective date.

To Committee on Revenue

HOUSE BILL NO. 767, by Committee on Labor and Economic Development and Representative Sanders:

AN ACT Relating to the public employment relations commission; amending section 5, chapter 196, Laws of 1971 ex. sess. as last amended by section 13, chapter 296, Laws of 1975 1st ex. sess. and RCW 28B.52.060; amending section 10, chapter 108, Laws of 1967 ex. sess. as amended by section 21, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.100; amending section 3, chapter 131, Laws of 1973 as last amended by section 1, chapter 184, Laws of 1979 ex. sess. and RCW 41.56.440; amending section 4, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.58.020; amending section 13, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.120; amending section 47.64.040, chapter 13, Laws of 1961 as last amended by section 1, chapter 73, Laws of 1979 ex. sess. and RCW 47.64.040; amending section 1, chapter 58, Laws of 1903 as amended by section 36, chapter 296, Laws of 1975 1st ex. sess. and RCW 49.08.010; adding a new section to chapter 41.58 RCW; and creating a new section.

To Committee on Labor and Economic Development

HOUSE BILL NO. 768, by Committee on Institutions and Representative Houchen:

AN ACT Relating to corrections; adding a new section to chapter 72.04A RCW; adding a new section to chapter 9.94A RCW; and creating a new section.

To Committee on Institutions

HOUSE BILL NO. 769, by Committee on Institutions and Representative Houchen:

AN ACT Relating to juveniles; and amending section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160.

To Committee on Institutions

HOUSE BILL NO. 770, by Committee on Education and Representative Taylor:

AN ACT Relating to education; amending section 18, chapter 359, Laws of 1977 ex. sess. as amended by section 7, chapter 250, Laws of 1979 ex. sess. and RCW 28A.58.758; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 7, chapter 157, Laws of 1972 ex. sess. as amended by section 1, chapter 22, Laws of 1975 1st ex. sess. and RCW 82.24.260; creating a new section; repealing section 1, chapter 98, Laws of 1975-76 2nd ex. sess. and RCW 28A.03.360; repealing section 1, chapter 90, Laws of 1975-76 2nd ex. sess., section 1, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.090; repealing section 2, chapter 305, Laws of 1977 ex. sess. and RCW 28A.58.092; repealing section 28A.47.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.130; repealing section 28A.47.140, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.140; repealing section 28A.47.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.170; repealing section 28A.47.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.180; repealing section 28A.47.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.210; repealing section 28A.47.220, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.220; repealing section 28A.47.230, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.230; repealing section 28A.47.420, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.420; repealing section 28A.47.435, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.435; repealing section 28A.47.440,

chapter 223, Laws of 1969 ex. sess., section 1, chapter 70, Laws of 1971 ex. sess., section 1, chapter 157, Laws of 1972 ex. sess. and RCW 28A.47.440; repealing section 28A.47.445, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.445; repealing section 28A.47.450, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.450; repealing section 28A.47.460, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.460; repealing section 28A.47.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.470; repealing section 28A.47.480, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.480; repealing section 28A.47.490, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.490; repealing section 28A.47.500, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.500; repealing section 28A.47.510, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.510; repealing section 28A.47.520, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.520; repealing section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530; repealing section 28A.47.540, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.540; repealing section 28A.47.560, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.560; repealing section 28A.47.570, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.570; repealing section 28A.47.580, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.580; repealing section 28A.47.590, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.590; repealing section 28A.47.600, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.600; repealing section 28A.47.610, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.610; repealing section 28A.47.620, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.620; repealing section 28A.47.630, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.630; repealing section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640; repealing section 28A.47.650, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.650; repealing section 28A.47.660, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.660; repealing section 28A.47.680, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.680; repealing section 28A.47.690, chapter 223, Laws of 1969 ex. sess., section 37, chapter 141, Laws of 1979 and RCW 28A.47.690; repealing section 28A.47.700, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.700; repealing section 28A.47.710, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.710; repealing section 28A.47.720, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.720; repealing section 28A.47.722, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.722; repealing section 28A.47.724, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.724; repealing section 28A.47.726, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.726; repealing section 28A.47.728, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.728; repealing section 28A.47.730, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.730; repealing section 28A.47.732, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.732; repealing section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734; repealing section 28A.47.736, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.736; repealing section 28A.47.738, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.738; repealing section 28A.47.742, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.742; repealing section 28A.47.744, chapter 223, Laws of 1969 ex. sess., section 38, chapter 141, Laws of 1979 and RCW 28A.47.744; repealing section 28A.47.746, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.746; repealing section 28A.47.748, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.748; and repealing section 28A.47.750, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.750.

To Committee on Education

HOUSE BILL NO. 771, by Committee on Education and Representative Taylor:

AN ACT Relating to certain public funds; amending section 1, chapter 47, Laws of 1975 and RCW 28A.58.430; amending section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440; amending section 2, chapter 250, Laws of 1981 and RCW 28A.58.441; amending section 36.29.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 56, Laws of 1980 and RCW 36.29.020; creating a new section; and repealing section 4, chapter 8, Laws of 1971 and RCW 28A.58.435.

To Committee on Education

HOUSE BILL NO. 772, by Committee on Revenue and Representative Greengo:

AN ACT Relating to revenue and taxation; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090; amending section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 773, by Committee on Revenue and Representative Greengo:

AN ACT Relating to the management of state funds; amending section 3, chapter 10, Laws of 1979 and RCW 43.41.110; adding a new section to chapter 43.85 RCW; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 774, by Representatives Sommers, Owen, Williams, Nisbet, Monohon, McCormick, Amen, Brown, Fiske, Grimm, Heck, Hine, Houchen, King (J), Leonard, Prince, Scott, Struthers and Walk:

AN ACT Relating to jail standards; adding new sections to chapter 70.48 RCW; creating new sections; providing an expiration date; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 775, by Representative Eberle:

AN ACT Relating to clarifying the legislative district boundaries between the twenty-fourth and thirty-fifth legislative districts and legislative district 19-B; amending section 45, chapter 288, Laws of 1981 and RCW 44.07B.350; and declaring an emergency.

To Select Committee on Redistricting

HOUSE BILL NO. 776, by Committee on Education and Representative Taylor:

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 777, by Committee on Revenue and Representative Greengo (by Executive request):

AN ACT Relating to revenue and taxation; amending section 2, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.020; amending section 8, chapter 139, Laws of 1967 ex. sess. and RCW 82.34.080; creating a new section; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 778, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to state government; amending section 11, chapter 172, Laws of 1935 as last amended by section 2, chapter 158, Laws of 1979 and RCW 9.41.110; amending section 6, chapter 226, Laws of 1949 as amended by section 1, chapter 294, Laws of 1961 and RCW 18.04.070; amending section 9, chapter 226, Laws of 1949 as amended by section 8, chapter 75, Laws of 1977 and RCW 18.04.100; amending section 15, chapter 226, Laws of 1949 as last amended by section 1, chapter 229, Laws of 1975 1st ex. sess. and RCW 18.04.160; amending section 19, chapter 226, Laws of 1949 as last amended by section 8, chapter 158, Laws of 1979 and RCW 18.04.200; amending section 21, chapter 226, Laws of 1949 as last amended by section 9, chapter 158, Laws of 1979 and RCW 18.04.220; amending section 27, chapter 226, Laws of 1949 as last amended by section 4, chapter 229, Laws of 1975 1st ex. sess. and RCW 18.04.280; amending section 28, chapter 226, Laws of 1949 as last amended by section 10, chapter 158, Laws of 1979 and RCW 18.04.290; amending section 13, chapter 43, Laws of 1957 and RCW 18.34.130; amending section 1, chapter 106, Laws of 1973 1st ex. sess. as amended by section 38, chapter 158, Laws of 1979 and RCW 18.35.010; amending section 6, chapter 106, Laws of 1973 1st ex. sess. as amended by section 37, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.35.060; amending section 1, chapter 108, Laws of 1937 as last amended by section 1, chapter 43, Laws of 1981 and RCW 18.39.010; amending section 2, chapter 108, Laws of 1937 as amended by section 2, chapter 43, Laws of 1981 and RCW 18.39.020; amending section 3, chapter 43, Laws of 1981 and RCW 18.39.035; amending section 7, chapter 108, Laws of 1937 and RCW 18.39.100; amending section 10, chapter 108, Laws of 1937 as last amended by section 7, chapter 43, Laws of 1981 and RCW 18.39.120; amending section 15, chapter 108, Laws of 1937 as last amended by section 8, chapter 43, Laws of 1981 and RCW 18.39.130; amending section 3, chapter 93, Laws of 1977 ex. sess. and RCW 18.39.145; amending section 4, chapter 93, Laws of 1977 ex. sess. as amended by section 9, chapter 43, Laws of 1981 and RCW 18.39.148; amending section 8, chapter 108, Laws of 1937 as last amended by section 10, chapter 43, Laws of 1981 and RCW 18.39.150; amending section 12, chapter 108, Laws of 1937 and RCW 18.39.160; amending section 16, chapter 108, Laws of 1937 and RCW 18.39.170; amending section 8, chapter 93, Laws of 1977 ex. sess. and RCW 18.39.173; amending section 9, chapter 93, Laws of 1977 ex. sess. as amended by section 11, chapter 43, Laws of 1981 and RCW 18.39.175; amending section 12, chapter 43, Laws of 1981 and RCW 18.39.179; amending section 9, chapter 108, Laws of 1937 as amended by section 14, chapter 43, Laws of 1981 and RCW 18.39.190; amending section 1, chapter 62, Laws of 1979 ex. sess. and RCW 18.39.195; amending section 15, chapter 43, Laws of 1981 and RCW 18.39.215; amending section 13, chapter 108, Laws of 1937 as amended by section 16, chapter 43, Laws of 1981 and RCW 18.39.220; amending section 19, chapter 43, Laws of 1981 and RCW 18.39.910; amending section 32, chapter 247, Laws of 1943 and RCW 68.08.190; amending section 39, chapter 247, Laws of 1943 and RCW 68.08.240; amending section 18, chapter 83, Laws of 1907 as amended by section 6, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.030; amending section 2, chapter 159, Laws of 1945 as last amended by section 1, chapter 162, Laws of 1979 ex. sess. and RCW 70.58.170; amending section 3, chapter 159, Laws of 1945 as last amended by section 14, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.180; amending section

4, chapter 83, Laws of 1907 as last amended by section 16, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.230; amending section 8, chapter 83, Laws of 1907 as last amended by section 17, chapter 5, Laws of 1961 ex. sess. and RCW 70.58.240; amending section 74.08.120, chapter 26, Laws of 1959 as last amended by section 15, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.120; amending section 3, chapter 98, Laws of 1935 as last amended by section 21, chapter 67, Laws of 1981 and RCW 18.64.005; amending section 1, chapter 82, Laws of 1969 ex. sess. as amended by section 4, chapter 90, Laws of 1979 and RCW 18.64.009; amending section 10, chapter 121, Laws of 1899 as last amended by section 7, chapter 90, Laws of 1979 and RCW 18.64.040; amending section 12, chapter 213, Laws of 1909 as last amended by section 8, chapter 90, Laws of 1979 and RCW 18.64.043; amending section 17, chapter 90, Laws of 1979 and RCW 18.64.044; amending section 5, chapter 153, Laws of 1949 as last amended by section 9, chapter 90, Laws of 1979 and RCW 18.64.045; amending section 18, chapter 90, Laws of 1979 and RCW 18.64.046; amending section 16, chapter 121, Laws of 1899 as last amended by section 10, chapter 90, Laws of 1979 and RCW 18.64.047; amending section 9, chapter 98, Laws of 1935 as amended by section 6, chapter 38, Laws of 1963 and RCW 18.64.050; amending section 1, chapter 9, Laws of 1972 ex. sess. as last amended by section 1, chapter 147, Laws of 1981 and RCW 18.64.080; amending section 11, chapter 121, Laws of 1899 as last amended by section 12, chapter 90, Laws of 1979 and RCW 18.64.140; amending section 1, chapter 101, Laws of 1977 ex. sess. and RCW 18.64A.010; amending section 3, chapter 101, Laws of 1977 ex. sess. and RCW 18.64A.030; amending section 6, chapter 101, Laws of 1977 ex. sess. and RCW 18.64A.060; amending section 1, chapter 192, Laws of 1939 and RCW 18.81.010; amending section 3, chapter 185, Laws of 1971 ex. sess. and RCW 18.81.035; amending section 4, chapter 192, Laws of 1939 as amended by section 7, chapter 201, Laws of 1971 ex. sess. and RCW 18.81.040; amending section 14, chapter 122, Laws of 1969 and RCW 18.100.140; amending section 5, chapter 319, Laws of 1977 ex. sess. as amended by section 78, chapter 158, Laws of 1979 and RCW 19.02.050; amending section 2, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 80, chapter 158, Laws of 1979 and RCW 19.09.020; amending section 10, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.100; amending section 19, chapter 13, Laws of 1973 1st ex. sess. as amended by section 9, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.190; amending section 20, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.200; amending section 21, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.210; amending section 23, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.230; amending section 14, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.275; amending section 34, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.340; amending section 1, chapter 253, Laws of 1971 ex. sess. as amended by section 81, chapter 158, Laws of 1979 and RCW 19.16.100; amending section 27, chapter 253, Laws of 1971 ex. sess. as last amended by section 3, chapter 194, Laws of 1977 ex. sess. and RCW 19.16.360; amending section 33, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.420; amending section 10, chapter 228, Laws of 1969 ex. sess. as amended by section 5, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.100; amending section 46, chapter 235, Laws of 1945 as last amended by section 41, chapter 117, Laws of 1974 ex. sess. and RCW 33.20.080; amending section 43.24.060, chapter 8, Laws of 1965 as last amended by section 98, chapter 158, Laws of 1979 and RCW 43.24.060; amending section 21, chapter 266, Laws of 1971 ex. sess. as last amended by section 16, chapter 53, Laws of 1981 and RCW 43.24.085; amending section 38, chapter 3, Laws of 1963 ex. sess. as last amended by section 7, chapter 235, Laws of 1977 ex. sess. and RCW 44.40.030; amending section 2, chapter 106, Laws of 1963 as amended by section 1, chapter 222, Laws of 1981 and RCW 46.85.020; amending section 3, chapter 106, Laws of 1963 as last amended by section 2, chapter 222, Laws of 1981 and RCW 46.85.030; amending section 4, chapter 106, Laws of 1963 and RCW 46.85.040; amending section 6, chapter 106, Laws of 1963 and RCW 46.85.060; amending section 10, chapter 106, Laws of 1963 as amended by section 114, chapter 32, Laws of 1967 and RCW 46.85.100; amending section 27, chapter 106, Laws of 1963 and RCW 46.85.270; amending section 69.50.301, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.301; amending section 69.50.302, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.302; amending section 69.50.303, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.303; amending section 1, chapter 197, Laws of 1977 ex. sess. and RCW 69.50.310; adding a new section to chapter 18.04 RCW; adding new sections to chapter 18.64 RCW; adding new sections to chapter 46.01 RCW; creating new sections; repealing section 5, chapter 43, Laws of 1957 and RCW 18.34.050; repealing section 15, chapter 106, Laws of 1973 1st ex. sess., section 35, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.35.150; repealing section 16, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.160; repealing section 17, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.170; repealing section 19, chapter 38, Laws of 1963, section 3, chapter 90, Laws of 1979 and RCW 18.64.007; repealing section 1, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.010; repealing section 2, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.020; repealing section 3, chapter 158, Laws of 1969 ex. sess., section 73, chapter 158, Laws of 1979 and RCW 18.96.030; repealing section 4, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.040; repealing section 5, chapter 158, Laws of 1969 ex. sess., section 54, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.96.050; repealing section 6, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.060; repealing section 7, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.070; repealing section 8, chapter 158, Laws of 1969 ex. sess., section 85, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.080; repealing section 9, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.090; repealing section 10, chapter 158, Laws of 1969 ex. sess., section 86, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.100; repealing section 11, chapter 158, Laws of 1969 ex. sess., section 87, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.110; repealing section 12, chapter 158, Laws of 1969 ex.

sess. and RCW 18.96.120; repealing section 13, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.130; repealing section 14, chapter 158, Laws of 1969 ex. sess., section 88, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.96.140; repealing section 15, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.150; repealing section 16, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.160; repealing section 17, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.170; repealing section 18, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.180; and repealing section 19, chapter 158, Laws of 1969 ex. sess. and RCW 18.96.900; repealing section 1, chapter 280, Laws of 1975 1st ex. sess., section 74, chapter 158, Laws of 1979 and RCW 18.108.010; repealing section 2, chapter 280, Laws of 1975 1st ex. sess., section 57, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.108.020; repealing section 3, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.030; repealing section 4, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.040; repealing section 5, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.050; repealing section 6, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.060; repealing section 7, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.070; repealing section 9, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.080; repealing section 10, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.090; repealing section 11, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.100; repealing section 12, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.110; repealing section 13, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.120; repealing section 14, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.130; repealing section 15, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.140; repealing section 16, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.150; repealing section 17, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.160; repealing section 18, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.170; repealing section 19, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.180; repealing section 20, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.190; repealing section 21, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.200; repealing section 22, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.210; repealing section 23, chapter 280, Laws of 1975 1st ex. sess. and RCW 18.108.900; repealing section 4, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.040; repealing section 6, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.060; repealing section 7, chapter 13, Laws of 1973 1st ex. sess., section 3, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.070; repealing section 8, chapter 13, Laws of 1973 1st ex. sess., section 4, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.080; repealing section 9, chapter 13, Laws of 1973 1st ex. sess., section 5, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.090; repealing section 11, chapter 13, Laws of 1973 1st ex. sess., section 7, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.110; repealing section 14, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.140; repealing section 15, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.150; repealing section 16, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.160; repealing section 17, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.170; repealing section 18, chapter 13, Laws of 1973 1st ex. sess., section 8, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.180; repealing section 22, chapter 13, Laws of 1973 1st ex. sess., section 11, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.220; repealing section 25, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.250; repealing section 26, chapter 13, Laws of 1973 1st ex. sess., section 12, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.260; repealing section 13, chapter 222, Laws of 1977 ex. sess., section 25, chapter 67, Laws of 1981 and RCW 19.09.265; repealing section 27, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.270; repealing section 28, chapter 13, Laws of 1973 1st ex. sess., section 15, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.280; repealing section 16, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.285; repealing section 29, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.290; repealing section 30, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.300; repealing section 31, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.310; repealing section 32, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.320; repealing section 35, chapter 13, Laws of 1973 1st ex. sess., section 89, chapter 30, Laws of 1975 1st ex. sess. and RCW 19.09.350; repealing section 36, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.360; repealing section 1, chapter 66, Laws of 1973 1st ex. sess., section 17, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.370; repealing section 37, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.900; repealing section 19, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.280; repealing section 20, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.290; repealing section 21, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.300; repealing section 22, chapter 253, Laws of 1971 ex. sess., section 58, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 19.16.310; repealing section 23, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.320; repealing section 24, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.330; repealing section 25, chapter 253, Laws of 1971 ex. sess. and RCW 19.16.340; repealing section 8, chapter 20, Laws of 1973 1st ex. sess., section 2, chapter 194, Laws of 1977 ex. sess. and RCW 19.16.351; repealing section 20, chapter 228, Laws of 1969 ex. sess., section 9, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.200; and providing effective dates.

HOUSE BILL NO. 779, by Committee on Appropriations – Education and Representative McDonald:

AN ACT Relating to public safety; amending section 2, chapter 9, Laws of 1970 ex. sess. as last amended by section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; amending section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050; amending section 7, chapter 39, Laws of 1963 as amended by section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; amending section 46.20.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 61, Laws of 1979 and RCW 46.20.070; amending section 4, chapter 25, Laws of 1965 as last amended by section 3, chapter 245, Laws of 1981

and RCW 46.68.041; repealing section 1, chapter 76, Laws of 1977 and RCW 46.81.005; repealing section 2, chapter 39, Laws of 1963, section 1, chapter 218, Laws of 1969 ex. sess., section 2, chapter 76, Laws of 1977, section 195, chapter 158, Laws of 1979 and RCW 46.81.010; repealing section 3, chapter 39, Laws of 1963, section 2, chapter 218, Laws of 1969 ex. sess., section 3, chapter 76, Laws of 1977, section 196, chapter 158, Laws of 1979 and RCW 46.81.020; repealing section 8, chapter 39, Laws of 1963, section 5, chapter 147, Laws of 1967 ex. sess., section 6, chapter 218, Laws of 1969 ex. sess., section 4, chapter 76, Laws of 1977 and RCW 46.81.070; repealing section 1, chapter 39, Laws of 1963, section 7, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.900; and providing an effective date.

To Committee on Appropriations – Education

HOUSE BILL NO. 780, by Committee on Labor and Economic Development and Representative Sanders (by Executive request);

AN ACT Relating to the state trade fair fund; and amending section 2, chapter 93, Laws of 1972 ex. sess. as amended by section 8, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.832.

To Committee on Labor and Economic Development

HOUSE BILL NO. 781, by Committee on Institutions and Representative Nelson, G. (by Department of Social and Health Services request):

AN ACT Relating to juvenile diagnostic services; amending section 72.05.130, chapter 28, Laws of 1959 as last amended by section 8, chapter 217, Laws of 1979 ex. sess. and RCW 72.05.130; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 782, by Committee on Higher Education and Representative McDonald:

AN ACT Relating to community colleges; creating new sections; adding a new section to chapter 283, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and declaring an emergency.

To Committee on Higher Education

HOUSE BILL NO. 783, by Committee on Ways and Means and Representative Chandler (by Office of Financial Management request):

AN ACT Relating to the deposit and distribution of funds received by the department of natural resources; adding a new section to chapter 43.85 RCW; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 784, by Committee on Appropriations – Education and Representative McDonald (by Office of Financial Management request):

AN ACT Relating to institutions of higher education; amending section 6, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.060; amending section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.215; amending section 28B.10.220, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.220; amending section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 1, chapter 148, Laws of 1979 ex. sess. and RCW 28B.15.520; amending section 1, chapter 262, Laws of 1979 ex. sess. as amended by section 1, chapter 62, Laws of 1980 and RCW 28B.15.740; amending section 8, chapter 257, Laws of 1981 and RCW 28B.15.502; amending section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 5, chapter 257, Laws of 1981 and RCW 28B.15.100; amending section 2, chapter 279, Laws of 1971 ex. sess. as last amended by section 1, chapter 257, Laws of 1981 and RCW 28B.15.031; amending section 9, chapter 257, Laws of 1981 and RCW 28B.15.820; amending section 2, chapter 257, Laws of 1981 and RCW 28B.15.067; amending section 7, chapter 322, Laws of 1977 ex. sess. as amended by section 3, chapter 257, Laws of 1981 and RCW 28B.15.070; amending section 4, chapter 257, Laws of 1981 and RCW 28B.15.076; amending section 6, chapter 257, Laws of 1981 and RCW 28B.15.202; amending section 7, chapter 257, Laws of 1981 and RCW 28B.15.402; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; repealing section 1, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.011; repealing section 2, chapter 273, Laws of 1971 ex. sess., section 1, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.012; repealing section 3, chapter 273, Laws of 1971 ex. sess., section 2, chapter 149, Laws of 1972 ex. sess., section 1, chapter 15, Laws of 1979 ex. sess. and RCW 28B.15.013; repealing section 4, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.014; repealing section 28B.10.200, chapter 223, Laws of 1969 ex. sess., section 1, chapter 62, Laws of 1973 and RCW 28B.10.200; repealing section 28B.10.250, chapter 223, Laws of 1969 ex. sess., section 2, chapter 62, Laws of 1973 and RCW 28B.10.250; repealing section 28B.10.255, chapter 223, Laws of 1969 ex. sess., section 3, chapter 68, Laws of 1974 ex. sess. and RCW 28B.10.255; repealing section 28B.10.260, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.260; repealing section 2, chapter 17, Laws of 1972 ex. sess., section 2, chapter 63, Laws of 1973 and RCW 28B.10.265; repealing section 6, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.065; repealing section 28B.15.380, chapter 223, Laws of

1969 ex. sess., section 8, chapter 269, Laws of 1969 ex. sess., section 8, chapter 279, Laws of 1971 ex. sess., section 1, chapter 191, Laws of 1973 1st ex. sess., section 37, chapter 169, Laws of 1977 ex. sess., section 10, chapter 322, Laws of 1977 ex. sess., section 1, chapter 82, Laws of 1979 and RCW 28B-15.380; repealing section 5, chapter 191, Laws of 1973 1st ex. sess. and RCW 28B.15.385; repealing section 9, chapter 59, Laws of 1970 ex. sess., section 13, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.523; repealing section 10, chapter 59, Laws of 1970 ex. sess., section 14, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.525; repealing section 11, chapter 279, Laws of 1971 ex. sess., section 39, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.530; repealing section 2, chapter 82, Laws of 1979 and RCW 28B.15.535; repealing section 1, chapter 265, Laws of 1977 ex. sess. and RCW 28B-15.550; repealing section 2, chapter 265, Laws of 1977 ex. sess. and RCW 28B.15.551; repealing section 3, chapter 265, Laws of 1977 ex. sess. and RCW 28B.15.552; repealing section 1, chapter 155, Laws of 1977 ex. sess. and RCW 28B.15.553; repealing section 3, chapter 155, Laws of 1977 ex. sess. and RCW 28B.15.554; repealing section 1, chapter 19, Laws of 1979 ex. sess. and RCW 28B.15.557; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess., section 9, chapter 322, Laws of 1977 ex. sess., section 1, chapter 83, Laws of 1979 ex. sess. and RCW 28B.15.620; repealing section 13, chapter 322, Laws of 1977 ex. sess. and RCW 28B.15.710; repealing section 2, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.742; repealing section 4, chapter 262, Laws of 1979 ex. sess. and RCW 28B.15.744; repealing section 59, chapter 169, Laws of 1977 ex. sess., section 12, chapter 322, Laws of 1977 ex. sess. and RCW 28B.35.361; and repealing section 9, chapter 269, Laws of 1969 ex. sess., section 16, chapter 279, Laws of 1971 ex. sess., section 3, chapter 191, Laws of 1973 1st ex. sess., section 78, chapter 169, Laws of 1977 ex. sess., section 11, chapter 322, Laws of 1977 ex. sess. and RCW 28B.40.361.

To Committee on Appropriations – Education

HOUSE BILL NO. 785, by Committee on Revenue and Representative Greengo (by Executive request):

AN ACT Relating to revenue and taxation; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 79, chapter 37, Laws of 1980 and RCW 82.12.020; amending section 82.04.300, chapter 15, Laws of 1961 as last amended by section 4, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.300; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090; amending section 2, chapter 46, Laws of 1979 ex. sess. and RCW 41.06.380; amending section 4, chapter 26, Laws of 1967 ex. sess. and RCW 82.01.070; amending section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045; amending section 4, chapter 150, Laws of 1955 and RCW 14.20.040; amending section 82.48.030, chapter 15, Laws of 1961 as last amended by section 3, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.030; amending section 82.48.100, chapter 15, Laws of 1961 as amended by section 28, chapter 173, Laws of 1965 ex. sess. and RCW 82.48.100; amending section 82.48.110, chapter 15, Laws of 1961 as amended by section 6, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.110; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961 as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending and reenacting section 82.04.260, chapter 15, Laws of 1961 as last amended by section 3, chapter 172, Laws of 1981 and by section 1, chapter 178, Laws of 1981 and RCW 82.04.260; amending section 82.04.460, chapter 15, Laws of 1961 as amended by section 9, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.460; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080; amending section 3, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 144, Laws of 1981 and RCW 82.14.020; amending section 82.16.010, chapter 15, Laws of 1961 as last amended by section 2, chapter 144, Laws of 1981 and RCW 82.16.010; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.48 RCW; providing effective dates; and declaring an emergency.

To Committee on Revenue

MOTION

Mr. Nelson (G) moved that the bills listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. King (R).

Mr. King (R): "Representative Nelson, is it the leadership's intention to work bills in this short session that have been referred to the newly-created committee?"

Mr. Nelson (G): "If a bill comes before the body from that committee it would be my intention that would be the preference."

Mr. King (R): "I guess I'm referring to a concern that many people have expressed that this session be limited to just the matters of the financial problems facing the state. Some of these, I'm sure, might have an indirect effect in terms of potential tax revenue, but certainly wouldn't take the same priority as others. I just wondered what the rush was to get these bills into committee?"

Mr. Nelson (G): "Representative King and members of the body, I think we all realize that part of this session would deal with streamlining state government for cost reductions and from what we've been able to obtain from Representative Williams and this select committee, there are some suggestions that should be considered by this select committee as to their merits. That's the intent."

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "I notice that on today's introductions and first reading of bills, that there are several that have committee sponsorship and I'm reading Rule 11, and my understanding of Rule 11 is that the only way in which a bill can be sponsored by a committee is that it be so directed by the Rules Committee or go through the Proposed Measure process. It's further my understanding that none of these bills have actually gone through that process. Could you clarify for me how it is that these bills can appear as having committee sponsorship?"

The Speaker: "Representative Heck, under Rule 11, as you correctly point out, the Rules Committee would be required to name the committee as sponsor. We are fully prepared to do that. It was our intention to expedite this as much as possible for the benefit of your members and our members, the press and the public, to have this handled as quickly as possible; however, if you wish to make a point of order, Representative Heck, I'm prepared to put the House at ease immediately for the purpose of a Rules Committee meeting."

MOTION

Mr. Burns moved that the motion by Representative Nelson (G) be amended and HOUSE BILL NO. 784 be referred to Committee on Higher Education.

Representatives Burns and Grimm spoke in favor of the motion, and Mr. McDonald spoke against it.

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

Representatives Burns and Grimm spoke again in favor of the motion to amend the Nelson (G) motion, and Mr. McDonald spoke again in opposition to it. Representative Teutsch spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Burns to amend the motion by Representative Nelson (G) and refer House Bill No. 784 to Committee on Higher Education, and the motion was lost by the following vote: Yeas, 43; nays, 53; not voting, 2.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kridler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Prince, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Houchen, Isaacson, James, Johnson, Lane, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Hastings, Tupper.

MOTION

On motion of Mr. Nelson (G), further consideration of the motion to refer the bills on the agenda to the committees designated was deferred.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 31, by Representative Nelson (G):

Carrying over bills from the first extraordinary session.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and House Concurrent Resolution No. 31 was advanced to second reading and read the second time in full.

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

On motion of Mr. Nelson (G), House Concurrent Resolution No. 31 was ordered immediately transmitted to the Senate.

The Speaker stated the question before the House to be the motion by Representative Nelson (G) that the bills listed on today's agenda under the fourth order of business be referred to the committees designated.

Representatives Valle, Bender and Salatino spoke against the motion, and Mr. Taylor spoke in favor of it.

The motion was adopted.

SPEAKER'S PRIVILEGE

The Speaker: "Ladies and gentlemen of the House, it has been now approximately seven weeks since the first announcements of the fiscal situation that brought us here this morning were made known. The best information that we have available to us leaves no doubt that we are indeed facing a fiscal crisis that is unprecedented in its severity in the state of Washington, both to the government of the state and to the people of the state. This morning, the Governor outlined for us the nature of and the reasons for the problems that we are to address in the coming days. No comfort can be taken from the fact that other states are in exactly the same kind of shape that we are. Across the country, federal, state and local governments, public and private institutions all face similar problems as we are facing in trying to bring an inflation-ridden economy under control. Those that address these problems with a reasonably sound approach will emerge from this crisis, I believe, as stronger institutions. That means that we are going to have to be working in the few weeks ahead of us as diligently as possible to come to grips with the problems that abound.

"We've had one hundred seventy-five hours of public hearings in the last several weeks and countless hours of work by the members of this body and by staff. I feel that this Legislature—I am confident that this Legislature—is ready to work toward to a solution to the problems that we all admit and freely acknowledge that we do have. I am certain that we will do so in the most efficient and expeditious way possible with a minimum of political rancor that has often marked legislative assemblies. In the opening of this legislature back in January of this year, I said that creative and productive people cannot and should not be managed. I believe that even more strongly today, that creative people like you are not manageable. You have a right to expect a framework in which to work towards solutions to problems. I think our President said it a few months ago about as well as anyone could possibly say, what we are up against right now: 'If not us, who? If not now, when?'"

POINT OF PERSONAL PRIVILEGE

Mr. Ehlers: "We, on our side, will cooperate in a bipartisan way because I think the Governor did outline the seriousness of the problem. However, I think it also must be said from our side that we are ready to guide everything in this session—every tax measure, every cut in programs, any additions to programs, every piece of legislation—based on six principles which we will use this session for measuring each and every bill that comes to us.

"One is the item of fiscal integrity. We are concerned about the credit rating of the state and returning it to the fine credit rating that we have had in the past. We cannot afford interest payments of \$5,000 an hour, twenty-four hours a day, seven days a week. We cannot afford the lowered bond rating of the state. The taxpayers cannot afford it. We don't think it's good management, and we certainly are going to look at everything in the light of fiscal integrity.

"We are concerned about a second principle, and that is the area of gimmicks. We believe that there shall be no more gimmicks; no more changing from one treasurer's account to another account; no more lightbulb switching. We don't believe we can afford that. That's what got us into the mess we are in now.

"Certainly, we believe that we want to cooperate in the area of wise cuts. There are cuts, we believe, that will not, hopefully, impact individuals who need the help. We believe that they

should be compassionate cuts, just like your governor said. We promise that that we will seriously look at the cuts you are proposing. There should not be cuts if, in the long run, they are not cost-effective.

"Frankly, there are other principles, but I want to leave you with a last one, the fourth one today. That's the area of open government. Whatever we do in this body, whatever we do in the area of these principles, it should be openly arrived at with accountability so the people out there know how Representative Ehlers voted, how Representative Dick Nelson voted, Gary Nelson, Nisbet, whomever. If there is one thing I've learned in the last few months going around this state, it is that people want to know how their representative votes—on either side of the issue. So we should urge that we open up the process, and that whatever we do with fiscal integrity, working together, we can find solutions, but let's find them together. Please."

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives Williams, James, McGinnis, King (R) and Monohon as members of the Select Committee on Deregulation and Productivity.

MOTION

On motion of Mr. Nelson (G), HOUSE BILL NO. 763 and HOUSE BILL NO. 778 were referred to the Select Committee on Deregulation and Productivity.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 8:00 a.m., Tuesday, November 10, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SECOND DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, November 10, 1981.

The House was called to order at 8:00 a.m. by the Speaker.

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

MESSAGES FROM THE SENATE

November 9, 1981

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 30,
HOUSE CONCURRENT RESOLUTION NO. 31,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

November 9, 1981

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 123,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 30,
HOUSE CONCURRENT RESOLUTION NO. 31,
SENATE CONCURRENT RESOLUTION NO. 123.

MOTION

On motion of Mr. Nelson (G), SUBSTITUTE HOUSE BILL NO. 557 was rereferred from Committee on Rules to Committee on Human Services.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 8:00 a.m., Wednesday, November 11, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, November 11, 1981.

The House was called to order at 8:00 a.m. by the Speaker.

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

MOTION

On motion of Mr. Nelson (G), the House recessed until 10:00 a.m.

SECOND MORNING SESSION

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Sprague, who was excused.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 786, by Representatives Eberle, Prince and Sanders:

AN ACT Relating to reapportionment and redistricting; adding a new chapter to Title 29 RCW; and declaring an emergency.

To Select Committee on Redistricting

HOUSE BILL NO. 787, by Representatives Eberle, Sanders and Prince:

AN ACT Relating to redistricting and reapportionment; adding a new chapter to Title 29 RCW; and declaring an emergency.

To Select Committee on Redistricting

HOUSE BILL NO. 788, by Representative Nelson (G):

AN ACT Relating to state sales and use taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 324, Laws of 1977 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 79, chapter 37, Laws of 1980 and RCW 82.12.020; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 789, by Representative Greengo:

AN ACT Relating to excise tax payments; amending section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045; amending section 82.32.090, chapter 15, Laws of 1961 as last amended by section 8, chapter 172, Laws of 1981 and RCW 82.32.090; and providing an effective date.

To Committee on Ways and Means

HOUSE BILL NO. 790, by Representatives Clayton and James:

AN ACT Relating to certificated school employees; amending section 5, chapter 114, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 7, Laws of 1977 ex. sess. and RCW 28A.58.455; amending section 28A.58.460, chapter 223, Laws of 1969 ex. sess. as amended by section 14, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.460; amending section 28A.58.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.470; amending section 28A.58.480, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.480; amending section 28A.58.490, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.490; amending section 28A.58.450, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.450; amending section 16, chapter 15, Laws of 1970 ex. sess. as last amended by section 4, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.070; amending section 1, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.072; amending section 9, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.073; and creating a new section.

To Committee on Labor and Economic Development

HOUSE BILL NO. 791, by Representative Chandler:

AN ACT Relating to inventories; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; adding new sections to chapter 84.09 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 84.52 RCW; repealing section 2, chapter 169, Laws of 1974 ex. sess., section 8, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.442; repealing section 4, chapter 169, Laws of 1974 ex. sess., section 8, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.443; repealing section 6, chapter 169, Laws of 1974 ex. sess. and RCW 82.04.445; repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400; making an appropriation; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 792, by Representatives McCormick and Wilson:

AN ACT Relating to alcoholic beverage control; and amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010.

To Committee on Labor and Economic Development

HOUSE BILL NO. 793, by Representatives Bond, Struthers, Isaacson, Fiske, Padden, Clayton, Lundquist, Fancher, Sprague, Nelson (G) and Schmidt:

AN ACT Relating to The Evergreen State College and the abolishment thereof; creating new sections; repealing section 28B.40.010, chapter 223, Laws of 1969 ex. sess., section 64, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.010; repealing section 28B.40.100, chapter 223, Laws of 1969 ex. sess., section 11, chapter 62, Laws of 1973, section 65, chapter 169, Laws of 1977 ex. sess. section 5, chapter 103, Laws of 1979 ex. sess. and RCW 28B.40.100; repealing section 28B.40.105, chapter 223, Laws of 1969 ex. sess., section 66, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.105; repealing section 28B.40.110, chapter 223, Laws of 1969 ex. sess., section 67, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.110; repealing section 28B.40.120, chapter 223, Laws of 1969 ex. sess., section 68, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.120; repealing section 28, chapter 15, Laws of 1970 ex. sess., section 69, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.190; repealing section 1, chapter 52, Laws of 1977 and RCW 28B.40.195; repealing section 28B.40.200, chapter 223, Laws of 1969 ex. sess., section 70, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.200; repealing section 1, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.206; repealing section 28B.40.220, chapter 223, Laws of 1969 ex. sess., section 71, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.220; repealing section 28B.40.230, chapter 223, Laws of 1969 ex. sess., section 72, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.230; repealing section 2, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.240; repealing section 3, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.244; repealing section 28B.40.300, chapter 223, Laws of 1969 ex. sess., section 73, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.300; repealing section 28B.40.305, chapter 223, Laws of 1969 ex. sess., section 74, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.305; repealing section 28B.40.310, chapter 223, Laws of 1969 ex. sess. section 75, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.310; repealing section 28B.40.315, chapter 223, Laws of 1969 ex. sess., section 76, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.315; repealing section 28B.40.350, chapter 223, Laws of 1969 ex. sess., section 77, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.350; repealing section 9, chapter 269, Laws of 1969 ex. sess., section 16, chapter 279, Laws of 1971 ex. sess., section 3, chapter 191, Laws of 1973 1st ex. sess., section 78, chapter 169, Laws of 1977 ex. sess., section 11, chapter 322, Laws of 1977 ex. sess. and RCW 28B.40.361; repealing section 28B.40.380, chapter 223, Laws of 1969 ex. sess., section 155, chapter 176, Laws of 1969 ex. sess., section 147, chapter 275, Laws of 1975 1st ex. sess., section 80, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.380; repealing section 28B.40.390, chapter 223, Laws of 1969 ex. sess., section 81, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.390; repealing section 28B.40.810, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.810; repealing section 28B.40.820, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.820; and repealing section 28B.40.830, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.830.

To Committee on Higher Education

HOUSE BILL NO. 794, by Representatives Nelson (D), Maxie, Martinis, Brown, McCormick, Rust, King (J), Hine, Galloway, Heck, Becker, Grimm, Kreidler, Valle, Pruitt, Gallagher, Warnke, Burns, Owen, Walk, Sherman, Salatino, Kaiser, Wang, Granlund, Scott, Eng, Lux, Bender, North, Stratton, O'Brien, Brekke and Gruger:

AN ACT Relating to crime victims compensation; amending section 10, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.035; amending section 5, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 156, Laws of 1980 and RCW 7.68.050; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070; amending section 9, chapter 176, Laws of 1975 1st ex. sess. as amended by section 6, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.075; amending section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 27, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.080; amending section 11, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 7, chapter 302, Laws

of 1977 ex. sess. and RCW 7.68.110; adding a new section to chapter 2.56 RCW; adding new sections to chapter 7.68 RCW; and adding a new section to chapter 72.09 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 795, by Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

AN ACT Relating to employment; adding a new section to chapter 39.12 RCW; adding a new section to chapter 49.12 RCW; repealing section 15, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.121; repealing section 3, chapter 51, Laws of 1973 and RCW 49.12.123; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 796, by Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

AN ACT Relating to apprenticeship; adding a new section to chapter 49.04 RCW; and declaring an emergency.

To Committee on Labor and Economic Development

MOTION

On motion of Mr. Hastings, the bills listed on today's agenda under the fourth order of business were considered first reading and were passed to the committees designated.

MOTION

Mr. Heck moved that HOUSE BILL NO. 786 and HOUSE BILL NO. 787 be made a Special Order of Business at 10:00 a.m., January 20, 1982.

SPEAKER'S RULING

The Speaker: "Representative Heck, your motion would be setting a time certain for these bills beyond the constitutional limit of this extraordinary session. Therefore, I will not accept the motion as stated."

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Where, in either our rules or Reed's Rules does it state that we cannot put a motion to place to a day certain bills that are before us to the next session?"

The Speaker: "Representative Heck, the effect of this session is that we were called here for thirty days under the terms of our Constitution, and the body only can deal with the matters that can be handled in those thirty days. If you are going to make a motion that would treat this as a tabling motion, you may offer a motion to table or otherwise dispose of them in that fashion."

Mr. Heck: "I'd like to point out to you, Mr. Speaker, that according to your own rules this session is considered the full two-year period of time for which the members of this body are elected. I'd like to point out further, Mr. Speaker, that the proclamation by which we sit in session today, signed by Governor Spellman and attested to by Secretary of State Munro, states explicitly that this session is convened for the purpose of enacting measures necessary to effect peaceful state expenditure reductions, to provide additional state and local revenues and to preserve the public safety. I fail to see how these two measures relating to redistricting fall under the purview of any of that."

POINT OF PERSONAL PRIVILEGE

Mr. King (R): "Mr. Speaker, I'd like to note that today is Veterans' Day and that we are here celebrating it, for the first time in my memory, by not having a presentation of the colors of our nation or our state. I suppose that is done so we can hurry back to committees which are considering significantly reducing veterans' preferences for state employment and to committees which are considering abolishing the waiver of tuition for veterans."

The Speaker: "Representative King, the colors are going to be presented at the 1:30 p.m. session. We are here for a half-hour now hoping to do nothing more than read in the bills and go back to committee meetings."

REPORTS OF STANDING COMMITTEES

November 10, 1981

SUBSTITUTE HOUSE BILL NO. 557, Prime Sponsor: Committee on Human Services, prohibiting transfer of assets for the purpose of qualifying for medical assistance benefits. Reported by Committee on Human Services.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Gruger, Houchen, King (J), Lane, Leonard, Nickell, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representatives Houchen, Teutsch, Winsley.

Passed to Committee on Rules for second reading.

November 9, 1981

HOUSE BILL NO. 757, Prime Sponsor: Committee on Human Services, modifying provisions of the certificate of need program. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 6, line 21 after "70.38.025(6)" strike all language to the semicolon on line 8, page 7.

Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Gruger, King (J), Lane, Leonard, Nickell, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representatives Houchen, Winsley.

Passed to Committee on Rules for second reading.

November 10, 1981

HOUSE BILL NO. 766, Prime Sponsor: Committee on Revenue, enacting the Uniform Unclaimed Property Act of 1981. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Not attending: Representative Bond.

Passed to Committee on Rules for second reading.

November 9, 1981

HOUSE BILL NO. 775, Prime Sponsor: Representative Eberle, clarifying the legislative district boundaries between the twenty-fourth and thirty-fifth legislative districts and legislative district 19-B. Reported by Select Committee on Redistricting.

MAJORITY recommendation: Do pass. Signed by Representatives Eberle, Chairman; Hastings, Vice Chairman; Bond, Prince, Sanders.

Voting nay: Representatives Bender, Ranking Minority Member; Ehlers.

Not attending: Representative Warnke.

Passed to Committee on Rules for second reading.

November 10, 1981

HOUSE BILL NO. 780, Prime Sponsor: Committee on Labor and Economic Development, modifying provisions relating to the state trade fair fund. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 16 after "expend" strike "all or part" and insert "up to one million dollars"

On page 1, line 17 after "surplus" insert "during a biennium"

On page 1, line 21 after "43.31.370," insert "Any moneys expended from the trade fair fund for the establishment or maintenance of trade offices in foreign countries shall be matched by at least an equal amount of moneys from nongovernmental and other sources."

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Brekke, Clayton, Eberle, Flanagan, Hankins, King (J), Lux, Monohon, Smith.

Voting nay: Representative Scott, Ranking Minority Member; Brown, Garrett.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the rules were suspended to permit the body to consider an amendment to House Rule 28.

AMENDMENT TO HOUSE RULES

On motion of Mr. Nelson (G), the following amendment by Representatives Nelson (G) and Ehlers to House Rule 28 was adopted:

After "12. Rules Committee....." strike "19" and insert "21"

STANDING COMMITTEE APPOINTMENT

The Speaker appointed Representatives Ehlers and Wilson to Committee on Rules.

MOTION

On motion of Mr. Nelson (G), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Martinis and Sprague, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Cannon and Keith Payne. Prayer was offered by The Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 557, by Committee on Human Services (originally sponsored by Representatives Mitchell, Sommers, Nisbet, Becker, Chandler, Dickie, Padden, Kreidler, Bickham, Vander Stoep, Patrick, Williams, Hankins, Owen, Fancher, Scott, Brekke, Stratton, Nickell, Rosbach, Nelson (G), Valle, Chamberlain, Lundquist, Eberle, Martinis, Granlund, Isaacson, McCormick, Van Dyken, Hastings, Johnson, Heck, Amen, Gruger, Tilly, Bond, Struthers, James, Addison, Houchen, Clayton, Winsley, Barr and Ellis):

Prohibiting transfer of assets for the purpose of qualifying for medical assistance benefits.

The bill was read the second time. On motion of Mr. Padden, Second Substitute House Bill No. 557 was substituted for House bill No. 557, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 557 was read the second time.

MOTION

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Heck spoke against the motion.

Mr. Struthers demanded an electric roll call vote on the motion, and the demand was sustained.

Mr. Mitchell spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Second Substitute House Bill No. 557 on final passage, and the motion failed to receive two-thirds majority by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, Lane, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson

D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Wang, Warnke.

Not voting: Representatives Martinis, Sprague.

Second Substitute House Bill No. 557 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 757, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions of the certificate of need program.

The bill was read the second time.

Committee on Human Services recommendation: Majority do pass as amended. (For amendment, see today's Reports of Standing Committees.)

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

The bill was ordered engrossed.

MOTION

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 757 be placed on final passage.

Mr. Grimm spoke against the motion, and Mr. Mitchell spoke in favor of it.

POINT OF PERSONAL PRIVILEGE

Mr. Gallagher: "I asked in Rules Committee for an explanation of this bill earlier today and was flatly refused. I think we have an explanation coming."

POINT OF PERSONAL PRIVILEGE

Mr. Kreidler: "Mr. Speaker, I think it's appropriate to point out that there was some misinformation given about this bill relative to—"

The Speaker: "Is this a point of personal privilege, Representative Kreidler, or are you just making a speech?"

Mr. Kreidler: "I'm not making a speech, Mr. Speaker; I'm only pointing out that the federal law was just changed and there was no way that this bill could have come before us in the past."

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

ROLL CALL

The Clerk called the roll on the motion that the rules be suspended and Engrossed House Bill No. 757 be placed on final passage, and the motion failed to receive two-thirds majority by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lane, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Wang, Warnke.

Not voting: Representatives Martinis, Sprague.

Engrossed House Bill No. 757 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 766, by Committee on Revenue and Representatives Ellis and Greengo (by Executive request):

Enacting the Uniform Unclaimed Property Act of 1981.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 766 was substituted for House Bill No. 766, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 766 was read the second time.

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

On page 5, line 21 after "effect" strike "January 1, 1982" and insert "immediately"
On page 1, line 12 of the title strike "; and making an effective date"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 775, by Representative Eberle:

Clarifying the legislative district boundaries between the twenty-fourth and thirty-fifth legislative districts and legislative district 19-B.

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

HOUSE BILL NO. 780, by Committee on Labor and Economic Development and Representative Sanders (by Executive request):

Modifying provisions relating to the state trade fair fund.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see today's Reports of Standing Committees.)

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

The bill was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G) the House advanced to the 8th order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-89, by Representatives Nelson (G), Ehlers, Bender, Tupper, Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

WHEREAS, November 11th, the anniversary of the signing of the armistice after the first World War has been the traditional date when this nation honors all the men and women who are veterans of that war and other wars; and

WHEREAS, The role of those who fought to keep America the home of the brave and the land of the free has always been one of honor and importance; and

WHEREAS, The nation owes no greater debt to any than to those who gave their lives for their country in war; and

WHEREAS, The service to their country of all veterans of the United States armed services is worthy of the highest recognition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That this body specially recognizes and is deeply grateful for the great contribution of the citizens of this state who have served in the armed services of their country and salutes them on this day; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House to the headquarters of each veterans' organization in the state.

Mr. Nelson (G) moved adoption of the resolution.

Representatives Nelson (G), Tupper, Nisbet and Bender spoke in favor of the resolution, and it was adopted.

AMENDMENT TO HOUSE RULES

Mr. Grimm moved adoption of the following amendment by Representatives Ehlers, Heck and Grimm to the House Rules:

Amend Rule 15 after "affirmative vote of" strike "two-thirds" and insert "the majority"

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Nelson, I notice on our desks that there are some amendments relating to the rules and I want to clarify. Are the rules that we are going to be talking about the same rules that we passed in the 1981 session already held?"

Mr. Nelson (G): "My records indicate that, yes, we have addressed these two rules in previous times. In fact, two previous times, in which we heard a lot of distortions and a bending of the truth; a lot of political rhetoric that wasted our time. What was important at that time is important to us again. All of a sudden, we are faced with having rule changes which essentially take the time away from taking care of the people's business for which this special session was called. What it is really doing is forcing these Chambers to now address the same amendments to our rules, and I think the people, the responsible media here today, have already heard the actualities of these rules. They have served the body well and all of a sudden they want to cover it again.

"There is no question in my mind that what's going to happen here is that the Democrats who offered these amendments have set out to simply destroy the possible accomplishments of what we're trying to do in this session by wasting more time dealing with rules that don't need to be changed, and I find it very disgusting. In fact, Representative Barrett, I find it almost a crime to use the amount of time necessary for this again in that it costs about \$55,000 to \$60,000 a day for us to be here. I, for one, am going to keep track of the time used at this point by the minority party to waste what would otherwise be accomplished in good operations of this Chamber."

Representatives Grimm and Hine spoke in favor of the amendment, and Mr. Chandler spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment to House Rule 15 by Representatives Ehlers, Heck and Grimm, and the amendment was not adopted by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lane, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Struthers, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Martinis, Sprague.

Mr. Heck moved adoption of the following amendment by Representatives Ehlers, Grimm and Heck:

Rule 16(A) after "shall be in order" insert ": PROVIDED, That one-sixth (1/6th) of the members may demand that any vote be recorded for this journal"

Representatives Heck, Becker and Ehlers spoke in favor of the amendment, and Representatives Barrett, Struthers and Nelson (G) spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment to House Rule 16 by Representatives Ehlers, Grimm and Heck, and the amendment was not adopted by the following vote: Yeas, 45; nays, 51; not voting, 2.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lane, Leonard, Lewis, Lundquist, McDonald,

McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Struthers, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Martinis, Sprague.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 797, by Representatives Salatino, Dawson, Isaacson, Winsley, Brown, North, Kaiser, Granlund, Wang and Walk:

AN ACT Relating to port commissions; amending section 10, chapter 17, Laws of 1959 as last amended by section 7, chapter 51, Laws of 1965 and RCW 53.12.120; and amending section 11, chapter 17, Laws of 1959 as amended by section 8, chapter 51, Laws of 1965 and RCW 53.12.130.

To Committee on Local Government

REPORTS OF STANDING COMMITTEES

November 11, 1981

HOUSE BILL NO. 763, Prime Sponsor: Select Committee on Deregulation and Productivity, revising public employment laws. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; McGinnis.

MINORITY recommendation: Do not pass. Signed by Representatives King (R), Ranking Minority Member; Monohon.

Passed to Committee on Rules for second reading.

November 11, 1981

HOUSE BILL NO. 768, Prime Sponsor: Committee on Institutions, modifying provisions relating to the department of corrections. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

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

*NEW SECTION. Section 1. There is added to chapter 72.04A RCW a new section to read as follows:

(1) Any person placed on parole shall be required to pay the monthly assessment, prescribed under subsection (2) of this section, which shall be for the duration of the parole and which shall be considered as payment or part payment of the cost of providing parole supervision to the parolee. The board may exempt a person from the payment of all or any part of the assessment based upon any of the following factors:

(a) The offender has diligently attempted but has been unable to obtain employment which provides the offender sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or a course of vocational or technical training designed to fit the student for gainful employment.

(c) The offender has an employment handicap, as determined by an examination acceptable to or ordered by the board.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents and the payment of the assessment constitutes an undue hardship on the offender.

(f) Other extenuating circumstances as determined by the board.

(2) The department of corrections shall adopt a rule prescribing the amount of the assessment. The department may, if it finds it appropriate, prescribe a schedule of assessments which shall vary in accordance with the intensity or cost of the supervision. The department may not prescribe any assessment which is less than ten dollars nor more than fifty dollars.

(3) Payment of the assessed amount shall constitute a condition of parole for purposes of the application of RCW 72.04A.090.

(4) All amounts required to be paid under this section shall be collected by the department of corrections and deposited by the department in the state general fund.

(5) This section shall not apply to parole services provided under an interstate compact pursuant to chapter 9.95 RCW or to parole services provided for offenders paroled before the effective date of this act.

NEW SECTION. Sec. 2. There is added to chapter 9.94A RCW a new section to read as follows:

(1) Whenever a punishment imposed under this chapter requires probation services to be provided, the sentencing court shall require, as a condition of probation, that the offender pay to the department of corrections the monthly assessment, prescribed under subsection (2) of this section, which shall be for the duration of the probation and which shall be considered as payment or part payment of the cost of providing

probation supervision to the probationer. The court may exempt a person from the payment of all of any part of the assessment based upon any of the following factors:

(a) The offender has diligently attempted but has been unable to obtain employment which provides the offender sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or a course of vocational or technical training designed to fit the student for gainful employment.

(c) The offender has an employment handicap, as determined by an examination acceptable to or ordered by the court.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents and the payment of the assessment constitutes an undue hardship on the offender.

(f) Other extenuating circumstances as determined by the court.

(2) The department of corrections shall adopt a rule prescribing the amount of the assessment. The department may, if it finds it appropriate, prescribe a schedule of assessments which shall vary in accordance with the intensity or cost of the supervision. The department may not prescribe any assessment which is less than ten dollars nor more than fifty dollars.

(3) All amounts required to be paid under this section shall be collected by the department of corrections and deposited by the department in the state general fund.

(4) This section shall not apply to probation services provided under an interstate compact pursuant to chapter 9.95 RCW or to probation services provided for persons placed on probation prior to the effective date of this act."

On page 1, line 2 of the title, after "72.04A RCW;" strike the remainder of the title and insert "and adding a new section to chapter 9.94A RCW."

Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Fiske, Granlund, Nelson (D), Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

November 11, 1981

HOUSE BILL NO. 770, Prime Sponsor: Committee on Education, changing law respecting student learning objectives and achievement level surveys of students. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Dickie, Ellis, James, Lane, Lewis, Maxie, McDonald, Vander Stoep.

Voting nay: Representatives Valle, Ranking Minority Member; Bender, Cantu, Ehlers, Eng, Galloway, Hine, Warnke.

Passed to Committee on Rules for second reading.

November 11, 1981

HOUSE BILL NO. 778, Prime Sponsor: Select Committee on Deregulation and Productivity, revising provisions for licensing and regulation of certain professions. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; McGinnis.

Voting nay: Representatives King (R), Ranking Minority Member; Monohon.

Passed to Committee on Rules for second reading.

November 11, 1981

HOUSE BILL NO. 782, Prime Sponsor: Committee on Higher Education, implementing laws relating to discharge of community college personnel. Reported by Committee on Higher Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Teutsch, Chairwoman; Prince, Vice Chairman; Barnes, Greengo, Isaacson, Tupper.

MINORITY recommendation: Do not pass. Signed by Representatives Burns, Ranking Minority Member; King (R), Rust, Sherman.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Thursday, November 12, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Thursday, November 12, 1981.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Winsley, who was excused.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Beth Garson and Nathan Ellis. Prayer was offered by The Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

MESSAGE FROM THE SENATE

November 11, 1981

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 30,

HOUSE CONCURRENT RESOLUTION NO. 31,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 798, by Representatives Sommers, Warnke, Williams, North, Amen, Greengo, Flanagan, Ehlers and Berleen:

AN ACT Relating to transient accommodations; adding a new section to chapter 48.48 RCW; repealing sections 1 through 8, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.200 through 70.62.270; repealing section 10, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.280; repealing section 11, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.290; and repealing section 12, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.900.

To Committee on Human Services

HOUSE BILL NO. 799, by Representatives Mitchell and Gruger:

AN ACT Relating to the state commission for the blind; abolishing the commission and transferring its functions to the state department of social and health services; amending section 1, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.400; amending section 5, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.440; amending section 6, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.450; amending section 7, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.460; amending section 8, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.470; amending section 10, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.490; amending section 12, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.510; amending section 13, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.520; amending section 1, chapter 251, Laws of 1975 1st ex. sess. as amended by section 21, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.010; amending section 2, chapter 251, Laws of 1975 1st ex. sess. as amended by section 22, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.020; amending section 4, chapter 251, Laws of 1975 1st ex. sess. as amended by section 23, chapter 40, Laws of 1977 ex. sess. and RCW 74.17.040; adding new sections to chapter 74.16 RCW; creating a new section; repealing section 2, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.410; repealing section 3, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.420; repealing section 4, chapter 40, Laws of 1977 ex. sess. (uncodified); repealing section 9, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.480; repealing section 11, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.500; repealing section 24, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.540; repealing section 39, chapter 99, Laws of 1979 and RCW 43.131.225; and repealing section 81, chapter 99, Laws of 1979 and RCW 43.131.226.

To Committee on State Government

MOTION

On Motion of Mr. Nelson (G), the bills listed on the agenda were referred to the Committees so designated.

REPORTS OF STANDING COMMITTEES

November 12, 1981

ENGROSSED HOUSE BILL NO. 188, Prime Sponsor: Committee on Education, making changes respecting auditing and reporting of school district accounts. Reported by Committee on Rules.

REREFERRED from Committee on Rules to Committee on Appropriations - Education.

November 12, 1981

HOUSE BILL NO. 676, Prime Sponsor: Committee on Education, implementing law relating reimbursement of school districts when unforeseen events occur. Reported by Committee on Rules.

REREFERRED from Committee on Education to Committee on Appropriations - Education.

November 12, 1981

HOUSE BILL NO. 763, Prime Sponsor: Select Committee on Deregulation and Productivity, revising public employment laws. Reported by Committee on Rules.

REREFERRED from Committee on Rules to Committee on Ways and Means.

November 12, 1981

HOUSE BILL NO. 768, Prime Sponsor: Committee on Institutions, modifying provisions relating to the department of corrections. Reported by Committee on Rules.

REREFERRED from Committee on Rules to Committee on Appropriations - Human Services.

November 12, 1981

HOUSE BILL NO. 770, Prime Sponsor: Committee on Education, changing law respecting student learning objectives and achievement level surveys of students. Reported by Committee on Rules.

REREFERRED from Committee on Rules to Committee on Appropriations - Education.

November 11, 1981

HOUSE BILL NO. 774, Prime Sponsor: Representative Sommers, modifying jail space requirements. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Berleen, Fiske, Granlund, Owen, Struthers, Van Dyken, Walk.

Not signing report: Representative Nelson (D).

Passed to Committee on Rules for second reading.

November 12, 1981

HOUSE BILL NO. 778, Prime Sponsor: Select Committee on Deregulation and Productivity, revising provisions for licensing and regulation of certain professions. Reported by Committee on Rules.

REREFERRED from Committee on Rules to Committee on Appropriations - General Government.

November 11, 1981

HOUSE BILL NO. 786, Prime Sponsor: Representative Eberle, providing for congressional redistricting and reapportionment. Reported by Select Committee on Redistricting.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 24 after "States" strike "Congress" and insert "House of Representatives"

On page 6, line 7 after "Snoqualmie" strike "valley" and insert "Valley"

On page 6, line 8 after "Snoqualmie" strike "valley" and insert "Valley"

On page 7, line 13 strike "meridian" and insert "Meridian"

On page 7, line 18 strike "meridian" and insert "Meridian"

On page 10, line 9 strike "meridian" and insert "Meridian"

On page 10, line 19 strike "meridian" and insert "Meridian"

On page 11, line 13 before "of" strike "all" and insert "All"

On page 12, line 5 after "853," strike "and"

On page 16, line 27 after "Sec. 18." insert "If any provision of this 1981 act or its application to any person or circumstance is held invalid, the remainder of the 1981 act or the application of the provision to other persons or circumstances is not affected."

NEW SECTION, Sec. 19.

On page 16, after line 26 insert the following:

***NEW SECTION, Sec. 18.** The legislature recognizes that it is of paramount importance to the people of this state that their government be responsible and accountable. To this end, regular reapportionment and redistricting of state legislative and congressional districts is required to ensure fair and effective representation for the citizens of this state. The legislature further recognizes that local government districts should be regularly and fairly reapportioned and redistricted. Therefore, a decennial commission system is hereby established to provide for the development of plans, to be adopted into law without amendment, for reapportionment and redistricting, according to specific criteria and standards.

NEW SECTION, Sec. 19. After each decennial census made by authority of the United States after the effective date of this act, and thereafter in each year ending in one, a commission shall be established to provide for the development of plans, to be adopted into law without amendment, for the redistricting and reapportionment of state legislative and congressional districts as are required by law, and for the review of local redistricting plans. The commission shall be known as the voting boundary commission.

NEW SECTION, Sec. 20. State and congressional redistricting plans shall be drawn by the voting boundary commission according to the following apportionment standards:

(1) State legislative districts in each house of the legislature shall have population as nearly equal as is practicable, excluding transient military personnel, according to the population reported in the most recent federal decennial census. In no case may a single district have a population which varies by more than five percent from the average population of all districts.

(2) Congressional districts shall have a population as nearly equal as is practicable, excluding transient military personnel, according to the population reported in the most recent federal decennial census. In no case may a single district have a population which varies by more than two percent from the average population of all districts.

(3) All districts shall be composed of convenient and contiguous territory.

(4) All districts shall be drawn, as nearly as practicable, so as to be separated by existing natural or artificial barriers.

(5) All districts shall be drawn to coincide with the boundaries of local political subdivisions, if practicable and not inconsistent with other criteria.

(6) No district may be drawn for the purpose of diluting the voting strength of any language or racial minority group.

(7) No district may be drawn to purposely favor or disfavor any political party.

(8) Districts shall be drawn so as to minimize division of natural neighborhoods and communities of interest, whenever practicable.

(9) Districts shall be drawn so as to promote partisan political competition in general elections.

NEW SECTION, Sec. 21. Members of the voting boundary commission shall be selected as follows:

(1) By January 1st of each year ending in one, the secretary of state shall give public notice of the establishment of that decade's voting boundary commission to give reasonable and adequate opportunity for interested parties to offer nominations to the selecting authorities.

(2) By February 15, the selecting authorities shall announce their appointment, and certify those appointments to the secretary of state, of the persons selected to serve as voting boundary commission commissioners. If after February 15 an appointment has not been made, the vacancy shall be filled by appointment by the chief judges of the court of appeals divisions from a list of names submitted by the party leadership of the original selecting authority for that position. The leadership shall submit a list of at least three names to the court of appeals judges by March 1 and selection shall be made therefrom within five calendar days. If the selecting authority fails to submit a list of names to the court of appeals chief judges, it is the responsibility of the chief judges to appoint a commissioner of their own choosing by March 10 and certify the appointment to the secretary of state.

(3) The secretary of state shall be the nonvoting chairman of the voting boundary commission.

(4) A vacancy on the commission shall be filled by the original selecting authority, or its successor, within fifteen days of the vacancy.

NEW SECTION, Sec. 22. The selecting authorities shall be as follows:

(1) For commissioner 1, the legislative leadership of the largest party in both houses of the legislature, determined by totalling party affiliation.

(2) For commissioner 2, the legislative leadership of the second largest party in both houses of the legislature.

(3) For commissioner 3, the state central committee of the political party to which the governor belongs.

(4) For commissioner 4, the state central committee of the major political party with which the governor is not affiliated.

NEW SECTION, Sec. 23. (1) Each person appointed to the commission shall take an oath in substantially the following form: "I,, do solemnly swear (or affirm), that I will faithfully and conscientiously discharge my duties as commissioner, I will uphold and defend the Constitution of the United States and the state of Washington, and I will serve the public interest of the people of this state in establishing fair and equitable redistricting and reapportionment plans according to the standards and guidelines

of the United States and Washington state Constitutions and the provisions of the voting boundary commission act."

(2) No person may be appointed to the commission who:

(a) Is not a registered voter of the state at the time of selection;

(b) Holds or has held legislative or congressional office within six months prior to selection;

(c) Is a relative of or is employed by a member of the state house of representatives or the state senate;

or

(d) Is or has within three months prior to selection been a registered lobbyist.

(3) Each commissioner shall comply with the disclosure requirements of the public disclosure act, chapter 42.17 RCW, within thirty days of appointment as commissioner, and thereafter as may be required pursuant to the public disclosure act.

NEW SECTION. Sec. 24. No member of the commission may hold or campaign for a legislative or congressional seat while a member of the commission.

NEW SECTION. Sec. 25. (1) The commission shall prepare, by December 31st of each year ending in one, at least one plan dividing the state into legislative and congressional districts. If a plan receives the approval of three commissioners, it shall be designated a three-commissioner plan and shall be submitted to the legislature for statutory enactment without amendment.

(2) If no plan achieves the approval of three commissioners, then any two commissioners may propose a plan to the legislature by December 31st of each year ending in one. All such two-commissioner plans shall be submitted to the legislature for approval without amendment. A roll call vote is required on each such plan submitted. The legislature shall vote on each plan within twenty legislative days of its submission.

(3) A plan that does not receive a majority vote in each house of the legislature or that has been vetoed by the governor shall be returned to the commission. Within thirty days of the date on which the legislature no longer has any plan before it for consideration, the commission shall submit a single three-commissioner plan to the legislature. If no three commissioners agree, such two-commissioner plans as are available shall be submitted to the legislature.

(4) The commission shall adopt state legislative and congressional plans in accordance with the rule-making procedures of chapter 34.04 RCW, the administrative procedure act: PROVIDED, That the judicial review provisions of the administrative procedure act do not apply.

(5) The state legislative and congressional plans shall be drawn according to the apportionment standards of section 19 of this act.

NEW SECTION. Sec. 26. (1) The commission shall adopt rules of practice and procedure pursuant to chapter 34.04 RCW, the administrative procedure act.

(2) Two members of the commission constitute a quorum to do business.

(3) The commission shall, in the preparation and adoption of plans, provide for adequate notice to the public of its actions. The commission shall, prior to adoption of a plan, hold public hearings.

(4) The commission shall preserve all information filed with and developed by the commission. Upon the ultimate conclusion of the business of any decade's commission, its records and files is transferred to the custody of the state archives.

(5) The commission is subject to the open public meetings act, chapter 42.30 RCW.

(6) The commission shall prepare and maintain minutes of its proceedings pursuant to RCW 42.32.030.

(7) The commission shall prepare and publish a report on the final state plan, explaining how population and other criteria were used in drawing the plan, and providing a detailed map or maps showing the location of district boundaries. The official copy of the report shall be filed with the secretary of state.

(8) In each certification or remand of a local government plan, the commission shall prepare a report explaining the basis for its action, including the criteria applied.

(9) The commission shall be the agency of state government designated to receive the results of each federal decennial census. In the case of census data generated or forwarded by the federal government during a period in which a decennial commission is not in operation, the office of the secretary of state shall be the agency designated to receive the data.

(10)(a) The decennial commission shall prepare state and congressional plans and review local government plans as expeditiously as possible. The commission shall take all necessary steps to conclude its business and cease operations, including a final report detailing financial expenditures and the disposition of all commission property, papers, and business, by October 31 of each year ending in two. The commission shall thereupon be terminated, until appointment of the next decade's commission: PROVIDED, That the commission may temporarily reconvene from time to time if necessary to hear and decide appeals from a challenged local plan, or if reconvened by the supreme court to comply with a court order for preparation of a new plan or revision of the existing plan.

(b) When the decade's decennial commission has ceased operations, any remaining commission business, if any, shall be transferred for conclusion to the office of the secretary of state. Any legal challenges or litigation pending at the time of the commission's termination shall continue to be prosecuted by the commission's legal staff until appropriate resolution of the matter(s). The office of the secretary of state shall be substituted as the successor agency in the case of any litigation continuing after the commission's termination.

(11) In conjunction with the office of the secretary of state, the commission may undertake projects designed to inform the citizenry of its work and the importance of redistricting in the structure of government of the state.

(12) The commission may accept funds, grants, gifts, and bequests from any lawful source, to be used for lawful commission business pursuant to this chapter.

(13) The commission may perform other tasks as prescribed by law, and undertake any activity consistent therewith that the commission deems necessary for the fair and expeditious completion of its mandate.

NEW SECTION. Sec. 27. (1) It is the responsibility of each local government and each municipal corporation with a governing body comprised of internal director districts not based on statutorily required land ownership or residency criteria to periodically redistrict its governmental unit, based on population information from the most recent federal decennial census.

(2) Within forty-five days after its receipt of federal decennial census information applicable to the specific local area, the commission or the secretary of state shall forward the census information to each local government and municipal corporation charged with redistricting under this chapter.

(3) No later than eight months after its receipt of federal decennial census data, the governing body of the municipal corporation shall prepare a plan for redistricting its internal or director districts.

(4) The plan shall be consistent with the following criteria:

(a) Each internal director district shall be as nearly equal in population to each and every other internal director district comprising the municipal corporation.

(b) Each district shall be as compact as possible.

(c) Each district shall be comprised of geographically contiguous area.

(d) Population data may not be used for purposes of favoring or disfavoring any racial group or political party.

(e) To the extent feasible and if not inconsistent with the basic enabling legislation for the municipal corporation, the district boundaries shall coincide with existing recognized natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

(5) During the adoption of its plan, the municipal corporation shall ensure that full and reasonable public notice of its actions is provided. The municipal corporation shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan.

(6)(a) An elected official residing in an area affected by the municipal corporation's redistricting plan may request review of the adopted local plan by the voting boundary commission, within forty-five days of the plan's adoption. Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The municipal corporation may be joined as respondent. The voting boundary commission shall thereupon review the challenged plan for compliance with the applicable redistricting criteria set out in sections 19 and 27(4) of this act.

(b) If, within thirty days of submission of a local government plan, the commission finds the plan to be consistent with the requirements of this chapter or the commission fails to find that the plan is not consistent with the requirements of this chapter, the secretary of state shall certify the plan. A certified plan shall take effect ten days after certification.

(c) If the commission determines the plan does not meet the requirements of this chapter, in whole or in part, it shall remand the plan for further or corrective action within a specified reasonable time period.

(d) If the commission finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent municipal corporation.

NEW SECTION. Sec. 28. (1) Notwithstanding any other provision of this chapter, the legislature may make minor technical amendments to the final state or congressional redistricting plan, upon a vote of a majority of legislators. Minor technical amendments are those changes in legal description, area identification, or other wording which are needed to conform to the plan's language to that originally intended, as expressed during commission public hearings, maps, reports, or other public announcements. Minor technical amendments may not alter the fundamental shape or population of any district.

(2) Notwithstanding any other provision of this chapter, the legislature may amend the state or congressional plan, in any manner, by a vote of two-thirds of the membership of each house. Any such amendment must be consistent with the standards of section 19 of this act. No such amendment may take effect less than eight months before a regularly scheduled legislative or congressional general election in the district or districts subject to the amendment.

(3) The legislature shall ensure public notice and an adequate opportunity for public comment prior to its adoption of any amendment of any state or congressional voting boundary plan.

NEW SECTION. Sec. 29. (1) The designee of the commission shall be the secretary of state or his delegate. It shall be the duty of the secretary of state to prepare minutes and official notices of the commission, to act as liaison between the commission and other governmental units as required by the commission, and to otherwise assist the commission. The secretary of state shall furnish the commission with such staff and facilities as may be necessary to fulfill its duties. The secretary of state shall submit to the governor and the legislature, by April 15 of each year, a report summarizing the nature and extent of the assistance rendered to the commission.

(2) In addition to staff support rendered by the secretary of state, the commission may retain and employ an independent general counsel to act as the chief legal officer of the commission. The commission counsel shall represent the commission in any court proceedings.

(3) Each commissioner shall be compensated for his or her services and reimbursed for expenses in the manner and amount provided for members of the state house of representatives.

NEW SECTION. Sec. 30. (1) The supreme court has original jurisdiction of any challenge to the validity of a final plan for state and congressional districts, or to a challenge to a certified local plan. The supreme court shall review and decide a challenge to any plan within ninety days after filing of an appeal.

(2) The supreme court shall review the challenged plan for consistency with constitutional requirements and the standards and criteria set forth in this chapter. The court may, if it finds a state or congressional plan invalid in whole or in part, order the commission to convene and to prepare a new plan within a specified time. In the event of the invalidity of a certified local plan, the court shall not reconvene the commission but shall require the local government to take the necessary corrective action directly.

NEW SECTION. Sec. 31. This chapter may be known and cited as the voting boundary commission act of 1981.

NEW SECTION. Sec. 32. Sections 18 through 31 of this act shall constitute a new chapter in Title 29 RCW."

Renumber the remaining sections consecutively and correct all internal references accordingly.

On page 1, line 1 of the title after "redistricting" insert "and providing for a commission"

On page 1, beginning on line 1 of the title, after "redistricting;" strike "adding a new chapter" and insert "adding new chapters"

Signed by Representatives Eberle, Chairman; Hastings, Vice Chairman; Bond, Prince, Sanders.

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

Voting nay: Representatives Bender, Ranking Minority Member; Warnke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-90, by Representatives Bond, Tilly, Stratton, McCormick, McGinnis, Padden, Taylor, Barrett, Leonard, Fancher, Barr, Addison, Amen, Barnes, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kridler, Lane, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nelson G., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley:

WHEREAS, Dave Cunningham is well known to the members and staff of the Washington State Legislature due to his activities as legislative liaison for the Washington Water Power Company; and

WHEREAS, Dave is a highly-regarded member of the Third House. He is highly respected for his professionalism by his many friends and colleagues; and

WHEREAS, Dave, as a passenger in an automobile in Oregon, suffered a serious injury to his neck and spinal cord in a recent accident; and

WHEREAS, Dave's convalescence at the University of Washington Medical Center would be enhanced by his knowledge of the support and expression of affection extended to him by the members and staff of the Washington State House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the members and staff of the Washington State House of Representatives wish to join his family and many friends in their hope for Dave's recovery. We applaud his courage and positive attitude. With God's help, he will be victorious; and

BE IT FURTHER RESOLVED, That the House of Representatives does hereby extend its appreciation to Dave Cunningham for his outstanding professional relationship with the Washington State Legislature and his personal friendship with its members and staff; and

BE IT FURTHER RESOLVED, That the House join with Dave's family and many friends in praying for his full and rapid recovery from his injuries and looks forward to the time when he will resume his professional duties as a member of the Third House and again become an active member of the State Capitol "community."

Mr. Bond moved adoption of the resolution and spoke in favor of it.

Prayer was offered by The Reverend Charles Loyer on behalf of Dave Cunningham.

Mr. Heck spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 557, by Committee on Human Services (originally sponsored by Representatives Mitchell, Sommers, Nisbet, Becker, Chandler, Dickie, Padden, Kreidler, Bickham, Vander Stoep, Patrick, Williams, Hankins, Owen, Fancher, Scott, Brekke, Stratton, Nickell, Rosbach, Nelson (G), Valle, Chamberlain, Lundquist, Eberle, Martinis, Granlund, Isaacson, McCormick, Van Dyken, Hastings, Johnson, Heck, Amen, Gruger, Tilly, Bond, Struthers, James, Addison, Houchen, Clayton, Winsley, Barr and Ellis):

Prohibiting transfer of assets for the purpose of qualifying for medical assistance benefits.

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

Representatives Mitchell and Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 557, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Teutsch, Winsley.

Second Substitute House Bill No. 557, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 757, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions of the certificate of need program.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 757, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed House Bill No. 757, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 766, by Committee on Revenue (originally sponsored by Committee on Revenue and Representatives Ellis and Greengo - by Executive request):

Amending uniform disposition of unclaimed property act.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 766, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 766, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 780, by Committee on Labor and Economic Development and Representative Sanders (by Executive request):

Modifying provisions relating to the state trade fair fund.

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

Representatives Sanders and Barrett spoke in favor of the bill, and Mr. Brown spoke against it.

POINT OF INQUIRY

Mr. Barrett yielded to question by Mr. Padden.

Mr. Padden: "Representative Barrett, where does the money actually come from for this? Are these new taxes we are talking about?"

Mr. Barrett: "Representative Padden, I'm aware that the money comes from a percentage of income to the state, from parimutuel horse race betting, and it is now in funds that are declared surplus and are going to be moved into this fund."

Mr. King (R) spoke against the bill, and Mr. Nelson (G) spoke in favor of it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Barrett, when this bill came in, it was totally state money. It was amended in committee to split the cost half and half, and that has only been a very short amount of time. That suggests that there is a potential in the private sector, perhaps, for more money to fund this kind of activity. Do you know if the private sector has been asked as to how much they are willing to put up and might they not double that \$500,000, and put up to a million dollars in it? Has there been an effort made to do that?"

Mr. Barrett: "Representative Nelson, I would point out that we haven't really asked them for this kind of participation in this kind of activity before. I have no doubt that once the state implements this program, once it puts together the coordinating and implementing offices that are going to be needed overseas, I rather expect that within a very few years, if it takes that long, the private sector will completely finance this kind of operation since it will be a successful one."

Mr. Nelson (D) spoke in opposition to the bill, and Mr. Sanders spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 780, and the bill passed the House by the following vote: Yeas, 71; nays, 26; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brekke, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, King J., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Rust, Salatino, Sanders, Schmidt, Smith,

Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Berleen, Brown, Burns, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hine, James, Kaiser, King R., Nelson D., North, Pruitt, Rinehart, Scott, Sherman, Thompson, Valle, Warnke.

Not voting: Representative Winsley.

Engrossed House Bill No. 780, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

LEGISLATIVE COMMITTEE APPOINTMENTS

The Speaker announced the following National and Regional Legislative Committee appointments:

NCSL Education: Representatives Heck, Taylor;
 NCSL Energy: Representatives Cantu, Nelson (D);
 NCSL Ethics, Elections & Reapportionment: Representatives Eberle, Salatino;
 NCSL Fiscal Affairs & Oversight: Representatives Chandler, Sommers;
 NCSL Government Operations: Representatives Addison, King (R);
 NCSL Human Resources: Representatives Kreidler, Mitchell;
 NCSL Law & Justice: Representatives Becker, Ellis;
 NCSL Legislative Information Needs: Representatives Hastings, Maxie;
 NCSL Legislative Management: Representatives Amen, Ehlers;
 NCSL Natural Resources & the Environment: Representatives North, Rosbach;
 NCSL Pensions: Representatives Williams, Thompson;
 NCSL Regulatory Improvement: Representative Williams;
 NCSL Regulatory Reform: Representatives Lux, Tilly;
 NCSL Rural Development: Representatives Fancher, Galloway;
 NCSL Science & Technology: Representatives Isaacson, Valle;
 NCSL States and the Arts: Representative O'Brien;
 NCSL Transportation: Representatives Sherman, Wilson;
 NCSL Urban Development: Representatives Hine, Van Dyken.
 COUNCIL ON STATE GOVERNMENT:
 CSG Corrections: Representative Owen;
 CSG Energy Conservation & Renewable Resources: Representative Monohon;
 CSG Energy & Minerals Development: Representative Erak;
 CSG Hazardous Materials & Waste Management: Representative Brekke;
 CSG International Trade: Representatives Flanagan, Hankins (Alternate);
 CSG Public Lands: Representative Clayton;
 CSG Suggested State Legislation: Representatives Fiske, Garrett, Granlund, Grimm, Heck, Lewis, McGinnis, Tupper;
 CSG Transportation: Representative Prince;
 CSG Water Polity: Representative Smith;
 CSG Western Conference Executive: Representative Nelson (G).

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 782, by Committee on Higher Education and Representative McDonald:

Implementing laws relating to discharge of community college personnel.

The bill was read the second time. On motion of Mr. McDonald, Substitute House Bill No. 782 was substituted for House Bill No. 782 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 782 was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, November 13, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, November 13, 1981.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

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

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 800, by Committee on Appropriations – Education and Representative McDonald:

AN ACT Relating to education; amending section 2, chapter 9, Laws of 1970 ex. sess. as last amended by section 97, chapter 136, Laws of 1979 ex. sess. and RCW 46.81.030; amending section 3, chapter 9, Laws of 1970 ex. sess. and RCW 46.81.050; amending section 7, chapter 39, Laws of 1963 as amended by section 5, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.060; amending section 8, chapter 39, Laws of 1963 as last amended by section 4, chapter 76, Laws of 1977 and RCW 46.81.070; amending section 46.20.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 61, Laws of 1979 and RCW 46.20.070; amending section 46.20.100, chapter 12, Laws of 1961 as last amended by section 146, chapter 158, Laws of 1979 and RCW 46.20.100; amending section 4, chapter 25, Laws of 1965 as last amended by section 3, chapter 245, Laws of 1981 and RCW 46.68.041; repealing section 1, chapter 76, Laws of 1977 and RCW 46.81.005; repealing section 2, chapter 39, Laws of 1963, section 1, chapter 218, Laws of 1969 ex. sess., section 2, chapter 76, Laws of 1977, section 195, chapter 158, Laws of 1979 and RCW 46.81.010; repealing section 3, chapter 39, Laws of 1963, section 2, chapter 218, Laws of 1969 ex. sess., section 3, chapter 76, Laws of 1977, section 196, chapter 158, Laws of 1979 and RCW 46.81.020; repealing section 1, chapter 39, Laws of 1963, section 7, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.900; and providing an effective date.

MOTION

On motion of Mr. Nelson (G), House Bill No. 800 was referred to Committee on Appropriations – Education.

REPORTS OF STANDING COMMITTEES

November 12, 1981

HOUSE BILL NO. 485, Prime Sponsor: Committee on Revenue, repealing pollution control exemptions and credits. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Granlund, Hastings, Rust.

Voting nay: Representatives Flanagan, Vice Chairman; Galloway, Sanders.

Passed to Committee on Rules for second reading.

November 12, 1981

HOUSE BILL NO. 756, Prime Sponsor: Committee on Human Services, modifying provisions relating to public assistance. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Houchen, Lane, Leonard, Nickell, Teutsch, Vander Stoep, Winsley.

Voting nay: Representatives Kreidler, Ranking Minority Member; Gruger, King (J), North, Padden, Pruitt, Stratton, Wang.

Rereferred to Committee on Appropriations–Human Services.

November 12, 1981

HOUSE BILL NO. 763, Prime Sponsor: Select Committee on Deregulation and Productivity, revising public employment laws. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill by the Select Committee on Deregulation and Productivity be substituted therefor and the substitute bill do pass. Signed by

Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, Thompson, Warnke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Theo Reid and David Ginsberg. Prayer was offered by The Reverend Scott Sherman of the Unity Church of Truth in Seattle.

MESSAGE FROM THE GOVERNOR

November 12, 1981

To the Honorable,
The Senate and the House of Representatives
of the State of Washington
Ladies and Gentlemen:

In compliance with the provisions of Section 11 of Article III of the Constitution of the state of Washington, I have the honor to submit herewith my report of the pardon of Mr. Richard E. Anderson, which has been granted since the adjournment of the First Extraordinary Session of the Forty-Seventh Regular Session of the Legislature.

Richard E. Anderson was found guilty of indecent liberties on January 27, 1948 in the Superior Court of Snohomish County, Washington, Cause Number 817. He then spent approximately eight months in the State Reformatory in Monroe and in Sedro-Woolley State Hospital before being paroled.

Since 1952, Mr. Anderson has worked for the American-Canadian Stratigraphic Service Company, where is now Senior Geologist. In 1968, Mr. Anderson became a Canadian citizen. So long as his conviction stands, he cannot obtain a visa to work for his company in the United States, which would be advantageous to him and his company. On June 23, 1981 the Snohomish County Superior Court, on motion of a Snohomish County Deputy Prosecuting Attorney, "dismissed" the information filed in Cause Number 817 against Mr. Anderson. This dismissal, however, was not sufficient to clear the way for obtaining a visa.

The passage of 33 years since Mr. Anderson was convicted, his many years of productive work, and his justifiable reasons for wanting to work in the United States all indicate that a pardon of Mr. Anderson is in the interest of justice.

On November 10, 1981, Richard E. Anderson was pardoned from the judgment and sentence of indecent liberties (Cause Number 817) entered on January 27, 1948, by the Superior Court of the state of Washington for Snohomish County.

Respectfully submitted,
John Spellman, GOVERNOR.

REPORTS OF STANDING COMMITTEES

November 12, 1981

HOUSE BILL NO. 760, Prime Sponsor: Committee on Appropriations - Human Services, modifying provisions relating to nursing homes. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Not attending: Representative Tilly.

Passed to Committee on Rules for second reading.

November 12, 1981

HOUSE BILL NO. 773, Prime Sponsor: Committee on Revenue, providing methods for the management of state funds. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Passed to Committee on Rules for second reading.

November 13, 1981

HOUSE BILL NO. 778, Prime Sponsor: Select Committee on Deregulation and Productivity, revising provisions for licensing and regulation of certain professions. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, King (J), McGinnis, Rosbach.

Voting nay: Representatives Gruger, Kaiser, Maxie.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 485, by Committee on Revenue and Representatives Chandler, Isaacson, Sommers, Greengo, Rinehart, Burns, Rust and Nelson (D):

Terminating pollution control exemptions and credits.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 485 was substituted for House Bill No. 485, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 485 was read the second time.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 485, and the bill passed the House by the following vote: Yeas, 83; nays, 14; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Fancher, Flanagan, Gallagher, Galloway, King R., Nisbet, Owen, Padden, Salatino, Sanders, Stratton, Wang, Warnke.

Not voting: Representative Teutsch.

Substitute House Bill No. 485, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 763, by Select Committee on Deregulation and Productivity and Representative Williams:

Revising public employment laws.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 763 was substituted for House Bill No. 763, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 763 was read the second time.

Mr. Garson moved adoption of the following amendments by Representatives Garson, Kreidler, Vander Stoep, Rosbach, Owen and Sommers:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

- (1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;
- (2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;
- (3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;
- (4) The officers of the Washington state patrol;
- (5) Elective officers of the state;
- (6) The chief executive officer of each agency;
- (7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;
- (8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:
 - (a) All members of such boards, commissions, or committees;
 - (b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;
 - (c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;
 - (d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;
- (9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;
 - (10) Assistant attorneys general;
 - (11) Commissioned and enlisted personnel in the military service of the state;
 - (12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;
 - (13) The public printer or to any employees of or positions in the state printing plant;
 - (14) Officers and employees of the Washington state fruit commission;
 - (15) Officers and employees of the Washington state apple advertising commission;
 - (16) Officers and employees of the Washington state dairy products commission;
 - (17) Officers and employees of the Washington tree fruit research commission;
 - (18) Officers and employees of the Washington state beef commission;
 - (19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;
 - (20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);
 - (21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);
 - (22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08-.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;
 - (23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;
 - (24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not

directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights within four years of the exemption: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(25) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position.

Sec. 2. Section 10, chapter 1, Laws of 1961 and RCW 41.06.100 are each amended to read as follows:

Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position ~~((at the conclusion of such temporary))~~ within four years from the date of appointment.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ~~((said))~~ the merit system director ~~((shall be))~~ is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations~~((;))~~. The names on such list shall be those of the three standing highest upon competitive examination conducted by a committee of three persons ~~((which shall be))~~ appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management ~~((shall be))~~ are eligible to take such examination.

(3) The director of personnel ~~((shall be))~~ is removable for cause by the governor with the approval of a majority of the board or by a majority of the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

NEW SECTION. Sec. 4. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any state agency, the state maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential for their health and well-being, as well as maintain those positions maintaining the facilities and properties of the state.

(2) In furtherance of this policy, each agency head shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those positions, including but not limited to executive, management, administrative and exempt positions, scheduled for reduction or layoff. Plans for implementing reductions or layoffs in the workforce shall be in relationship to the ratio between management and nonmanagement positions found in the agency. This shall not preclude agency heads from reducing or laying off management positions to a level exceeding the existing management to nonmanagement ratios.

(3) Such plans shall be negotiated in advance with the exclusive representative affected. All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the state.

(4) Whenever a reduction or layoff in workforce is required, each agency head shall prepare a list indicating the actual number of layoffs among executive, management, administrative, exempt, and other positions. Each agency head shall also prepare a detailed organizational chart indicating all agency positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of

financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among executive, management, administrative, exempt, and other positions by each agency; (b) the organizational chart of each agency; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exemptions under subsection (3) of this section.

Sec. 5. Section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040 are each amended to read as follows:

The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(1) Members of the governing board of each institution and related boards, all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Student, part time, or temporary employees, and part time professional consultants, as defined by the higher education personnel board, employed by institutions of higher education and related boards.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution, and related boards, may also exempt from this chapter, subject to the employees right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the higher education personnel board under this provision.

(6) The salary and fringe benefits of all exempt positions, except for the presidents, vicepresidents and academic personnel in subsection (1) of this section, part-time professional consultants in subsection (2) of this section, and the director under subsection (3) of this section, shall be determined by the higher education personnel board.

Sec. 6. Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050 are each amended to read as follows:

Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position, ((at the conclusion of such temporary appointment)) within four years from the date of appointment to the exempt position.

NEW SECTION. Sec. 7. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any institution of higher education or related board, the institution of higher education or related board maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential, as well as maintain those positions maintaining the facilities and properties of the institution of higher education.

(2) In furtherance of this policy, each head of an institution of higher education or related board shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those positions, including but not limited to executive, management, administrative and exempt positions, scheduled for reduction or layoff. Plans for implementing reductions or layoffs in the workforce shall be in relationship to the ratio between management and nonmanagement positions found in the institution of higher education or related board. This shall not preclude heads of institutions of higher education or related boards from reducing or laying off management positions to a level exceeding the existing management to nonmanagement ratios.

(3) Such plans shall be negotiated in advance with the exclusive representative affected. All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the institutions of higher education.

(4) Whenever a reduction or layoff in workforce is required, each head of an institution of higher education or related board shall prepare a list indicating the actual number of layoffs among executive, management, administrative, exempt, and other positions. Each head of an institution of higher education or related board shall also prepare a detailed organizational chart indicating all positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among executive, management, administrative, exempt, and other positions by each institution of higher education or related board; (b) the organizational chart of each institution of higher education or related board; (c) recommendations for furthering the policy

and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exemptions under subsection (3) of this section.

NEW SECTION, Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representatives Garson and Kreidler spoke in favor of the amendment, and Mr. Williams spoke against it.

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

Representatives Owen and Walk spoke in favor of the amendment, and Representatives James and McGinnis spoke against it.

Mr. Garson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Garson, Kreidler, Vander Stoep, Rosbach, Owen and Sommers to Substitute House Bill No. 763, and the amendment was adopted by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Chamberlain, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lane, Lundquist, McDonald, McGinnis, Mitchell, Nickell, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Mr. Nelson (G) served notice that he would move for reconsideration of the vote by which the amendment by Representative Garson and others to Substitute House Bill No. 763 was adopted.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 763 was deferred, and the bill was ordered placed on the bottom of today's second reading calendar.

HOUSE BILL NO. 774, by Representatives Sommers, Owen, Williams, Nisbet, Monohon, McCormick, Amen, Brown, Fiske, Grimm, Heck, Hine, Houchen, King (J), Leonard, Prince, Scott, Struthers and Walk:

Modifying jail space requirements.

The bill was read the second time. On motion of Ms. Houchen, Substitute House Bill No. 774 was substituted for House Bill No. 744, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 774 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Struthers.

Mr. Struthers: "Representative Sommers, in the new section of the bill, on page 1, line 25, the bill refers to the physical plants operating and other standards. My question is: In using the language 'other standards,' where the original jail bond bill referred to 'physical plant standards and custodial and care standards,' would this 'other standards' be addressing the custodial and care standards that the original jail bond bill mentioned?"

Ms. Sommers: "Yes, I believe it will. I believe the word 'other' includes any other standards relating to jails. I might add that the committee added the word 'operating' on that line. I suppose that they had remembered that the original bill used 'custodial and care' and that we might have added that language, but I think it's synonymous and that is certainly the intent."

Mr. Struthers spoke in favor of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Sommers, in section 3 of the bill, it says the local governments may use a share of the savings for capital costs relating to the jail, such as law enforcement offices, juvenile detention facilities, land, construction, remodeling, court facilities, equipment and furnishings. In effect, would you consider this breaking new ground in terms of what the state is willing to pay local government with respect to related jail construction?"

Ms. Sommers: "It is my understanding that it is different from the original proposal. For example, land was not covered and the intent here was to provide an incentive to local governments to enable them to review and perhaps to revise their design. We thought it important to have that in the bill."

Mr. Nelson (D): "Are these kinds of costs to be paid for by a bond measure at the local level?"

Ms. Sommers: "Yes, I believe they would."

Mr. Nelson (D) spoke against passage of the bill, and Representatives King (J) and Houchen spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No: 774, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Gruger, Nelson D., Rinehart.

Substitute House Bill No. 774, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the Rules Committee was relieved of HOUSE BILL NO. 760, HOUSE BILL NO. 773 and HOUSE BILL NO. 778, and the bills were ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

November 13, 1981

HOUSE BILL NO. 762, Prime Sponsor: Committee on State Government, reorganizing commissions, boards and councils. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substitute therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, Rinehart, Rust, Sprague.

Voting nay: Representative O'Brien.

Passed to Committee on Rules for second reading.

November 13, 1981

HOUSE BILL NO. 795, Prime Sponsor: Committee on Labor and Economic Development, establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 26 insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 39.12 RCW a new section to read as follows:

The department shall set the fees permitted by this chapter, and other chapters permitting the industrial relations division of the department to charge fees, at a level that generates revenue that is as near as practicable to the amount of the appropriation for the industrial relations division for each biennium."

On page 2, after line 33 insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 49.12 RCW a new section to read as follows:

The department shall set the fees permitted by this chapter, and other chapters permitting the industrial relations division of the department to charge fees, at a level that generates revenue that is as near as practicable to the amount of the appropriation for the industrial relations division for each biennium."

On page 1, line 28 after "RCW" insert ", between RCW 49.12.010 and 49.12.180,"

Signed by Representatives Sanders, Chairman; Scott, Ranking Minority Member; Barr, Brekke, Clayton, Eberle, Garrett, Hankins, Lux.

Voting nay: Representatives Patrick, Vice Chairman; Brekke, Brown, Flanagan, King (J), Monohon, Smith.

Rereferred to Committee on Ways and Means.

November 13, 1981

HOUSE BILL NO. 796, Prime Sponsor: Committee on Labor and Economic Development, revising laws on review of apprenticeship programs. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "34.04 RCW." insert "However, the amount of the fees charged for any single transaction shall not exceed fifty dollars. The department shall not hire additional staff for the purposes of collecting these fees."

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Brekke, Clayton, Eberle, Flanagan, Hankins, Smith.

Voting nay: Representatives Scott, Ranking Minority Member; Brown, Garrett, King (J), Lux, Monohon.

Rereferred to Committee on Ways and Means.

SECOND READING

HOUSE BILL NO. 760, by Committee on Appropriations – Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions relating to nursing homes.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 760 was substituted for House Bill No. 760, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 760 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 760, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kridler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 760, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 773, by Committee on Revenue and Representative Greengo:

Providing methods for the management of state funds.

The bill was read the second time. On motion of Mr. Nelson (G), Substitute House Bill No. 773 was substituted for House Bill No. 773 and the substitute bill was placed on the calendar for second reading.

MOTION

On motion of Mr. Nelson (G), House Bill No. 778 was placed on the second reading calendar for immediate consideration.

HOUSE BILL NO. 778, by Select Committee on Deregulation and Productivity and Representative Williams:

Revising provisions for licensing and regulating of certain professions.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 778 was substituted for House Bill No. 778, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 778 was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:00 a.m., Monday, November 16, 1981.

WILLIAM M. POLK, Speaker.

VITO T. CHIECHI, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, November 16, 1981.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Valle, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Karen Schmidt and Patricia Smith. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 801, by Representative Gallagher:

AN ACT Relating to the licensing of certain entertainers; creating new sections; adding new sections as a new chapter to Title 18 RCW; and providing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 802, by Representatives Wang, Granlund, Valle, Barnes, Pruitt, Berleen, Salatino, Addison, Dawson, Warnke and Hine:

AN ACT Relating to metropolitan municipal corporations; amending section 35.58.200, chapter 7, Laws of 1965 as last amended by section 1, chapter 36, Laws of 1975 and RCW 35.58.200; amending section 1, chapter 140, Laws of 1972 ex. sess. and RCW 90.48.162; and amending section 3, chapter 71, Laws of 1955 as amended by section 16, chapter 13, Laws of 1967 and RCW 90.48.180.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 803, by Select Committee on Deregulation and Productivity and Representatives Cantu, Johnson, Lewis, Tilly, Dickie, Hastings, Lundquist, Struthers, Amen, Bond, Fiske, Fancher, Smith, McDonald, Prince and Vander Stoep:

AN ACT Relating to attendance incentive programs; amending section 3, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 16, Laws of 1981 and RCW 28A.58.100; creating new sections; repealing section 6, chapter 182, Laws of 1980 and RCW 28A.21.360; repealing section 5, chapter 182, Laws of 1980 and RCW 28A.58.097; and declaring an emergency.

To Committee on Deregulation and Productivity and Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's introduction sheet were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

November 13, 1981

HOUSE BILL NO. 756, Prime Sponsor: Committee on Human Services, modifying provisions relating to public assistance. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly.

Voting nay: Representatives Brekke, Valle.

November 13, 1981

HOUSE BILL NO. 768, Prime Sponsor: Committee on Institutions, modifying provisions relating to the department of corrections. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass with the following amendments by Committee on Institutions:

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

***NEW SECTION.** Section 1. There is added to chapter 72.04A RCW a new section to read as follows:

(1) Any person placed on parole shall be required to pay the monthly assessment, prescribed under subsection (2) of this section, which shall be for the duration of the parole and which shall be considered as payment or part payment of the cost of providing parole supervision to the parolee. The board may exempt a person from the payment of all or any part of the assessment based upon any of the following factors:

(a) The offender has diligently attempted but has been unable to obtain employment which provides the offender sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or a course of vocational or technical training designed to fit the student for gainful employment.

(c) The offender has an employment handicap, as determined by an examination acceptable to or ordered by the board.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents and the payment of the assessment constitutes an undue hardship on the offender.

(f) Other extenuating circumstances as determined by the board.

(2) The department of corrections shall adopt a rule prescribing the amount of the assessment. The department may, if it finds it appropriate, prescribe a schedule of assessments which shall vary in accordance with the intensity or cost of the supervision. The department may not prescribe any assessment which is less than ten dollars nor more than fifty dollars.

(3) Payment of the assessed amount shall constitute a condition of parole for purposes of the application of RCW 72.04A.090.

(4) All amounts required to be paid under this section shall be collected by the department of corrections and deposited by the department in the state general fund.

(5) This section shall not apply to parole services provided under an interstate compact pursuant to chapter 9.95 RCW or to parole services provided for offenders paroled before the effective date of this act.

NEW SECTION. Sec. 2. There is added to chapter 9.94A RCW a new section to read as follows:

(1) Whenever a punishment imposed under this chapter requires probation services to be provided, the sentencing court shall require, as a condition of probation, that the offender pay to the department of corrections the monthly assessment, prescribed under subsection (2) of this section, which shall be for the duration of the probation and which shall be considered as payment or part payment of the cost of providing probation supervision to the probationer. The court may exempt a person from the payment of all of any part of the assessment based upon any of the following factors:

(a) The offender has diligently attempted but has been unable to obtain employment which provides the offender sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or a course of vocational or technical training designed to fit the student for gainful employment.

(c) The offender has an employment handicap, as determined by an examination acceptable to or ordered by the court.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents and the payment of the assessment constitutes an undue hardship on the offender.

(f) Other extenuating circumstances as determined by the court.

(2) The department of corrections shall adopt a rule prescribing the amount of the assessment. The department may, if it finds it appropriate, prescribe a schedule of assessments which shall vary in accordance with the intensity or cost of the supervision. The department may not prescribe any assessment which is less than ten dollars nor more than fifty dollars.

(3) All amounts required to be paid under this section shall be collected by the department of corrections and deposited by the department in the state general fund.

(4) This section shall not apply to probation services provided under an interstate compact pursuant to chapter 9.95 RCW or to probation services provided for persons placed on probation prior to the effective date of this act."

On page 1, line 2 of the title, after "72.04A RCW;" strike the remainder of the title and insert "and adding a new section to chapter 9.94A RCW."

Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

November 14, 1981

HOUSE BILL NO. 770, Prime Sponsor: Committee on Education, changing law respecting student learning objectives and achievement level surveys of students. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives McDonald, Chairman; James, Vice Chairman; Barrett, Fancher, Nelson (G), Taylor, Teutsch.

Voting nay: Representatives Warnke, Ranking Minority Member; Eng, Grimm, Heck, Salatino.

November 14, 1981

HOUSE BILL NO. 784, Prime Sponsor: Committee on Appropriations - Education, making miscellaneous changes in law relating to institutions of higher education. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McDonald, Chairman; James, Vice Chairman; Barrett, Fancher, Nelson (G), Taylor, Chandler, Chairman, Ways and Means.

Voting nay: Representatives Warnke, Ranking Minority Member; Eng, Grimm, Heck, Salatino, Teutsch.

November 13, 1981

HOUSE BILL NO. 800, Prime Sponsor: Committee on Appropriations - Education, eliminating explicit state support of traffic safety education and transferring the funds to the support of the common schools. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass. Signed by Representatives McDonald, Chairman; James, Vice Chairman; Barrett, Fancher, Nelson (G), Taylor, Teutsch.

MINORITY recommendation: Do not pass. Signed by Representatives Warnke, Ranking Minority Member; Eng, Grimm, Heck.

Not attending: Representative Salatino.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and all bills listed on today's fifth order of business, Reports of Standing Committees, were placed on today's second reading calendar.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 763, by Select Committee on Deregulation and Productivity (originally sponsored by Select Committee on Deregulation and Productivity and Representative Williams):

Revising public employment laws.

The House resumed consideration of the bill on second reading. (For previous action see Journal, 5th Day, 2nd ex. sess., November 13, 1981)

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Nelson (G) moved that the House reconsider the vote by which the amendment by Representative Garson and others was adopted.

Mr. Nelson (G) spoke in favor of the motion.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Ms. Sommers.

Ms. Sommers: "You mentioned working out some additional compromise. Could you outline for us what changes you would envision in a compromise that would be different than the compromise amendment that was adopted on Friday?"

Mr. Nelson (G): "Representatives Sommers and members of the body, there are an awful lot of things that have been deleted in the amendment to this bill. I think we all agree that one thing that has been avoided has been the performance evaluation. I'll be the first to admit that may not be the most perfect situation to even try and implement. I know the problems of getting a lot of our folks trained to properly take on the activity of performance evaluation, so I think that's one of the things that needs to be addressed—that we would hold onto the performance evaluation but only implement the master proper training of all of our people in state government.

"I think we need to talk again about the merits of either the rule of three or the rule of ten. Personally I'm not really hung up on one or the other because I think each of those people who support one or the other have some great arguments to offer.

"We also need to look, perhaps, at the evaluation procedures with reference to step increases and maybe it will be something of a shorter evaluation approach than one that would address the reduction in force. Those are things just off the top of my head that appear likely

to be discussed and, I think, need to be discussed in order to save the bill, that has a great amount of interest to the citizens of this state rather than lose it."

Representatives Garson and Kreidler spoke against the motion to reconsider, and Mr. Lewis spoke in favor of it.

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

Ms. Leonard spoke in favor of the motion to reconsider.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Garson amendment to Substitute House Bill No. 763 was adopted, and the motion was carried by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lane, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representative Valle.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 763 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 762, by Committee on State Government and Representative Addison:

Reorganizing commission, boards and councils.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 762 was substituted for House Bill No. 762, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 762 was read the second time.

Mr. Addison moved adoption of the following amendment:

On page 16, after line 19 strike all the material down to and including "43.06.340;" on line 29 Renumber the remaining subsections consecutively.

Representatives Addison and Walk spoke in favor of the amendment, and it was adopted.

On motion of Mr. Addison the following amendment to the title was adopted:

On page 2, line 10 of the title after "38.12.050;" strike all the material down to and including "43.06.340;" on line 17

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Addison and Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 762, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Gallagher, Maxie.

Not voting: Representative Valle.

Engrossed Substitute House Bill No. 762, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 773, by Committee on Ways and Means (originally sponsored by Committee on Revenue and Representative Greengo):

Providing methods for the management of state funds.

The bill was read the second time.

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

On page 2, line 21 after "RCW" insert "76.12.030, 76.12.120, and"

On page 2, line 26 strike "43.30.280" and insert "43.30.290"

On page 3, after line 22 insert the following:

"Sec. 4. Section 3, chapter 288, Laws of 1927 as last amended by section 1, chapter 224, Laws of 1971 ex. sess. and RCW 76.12.030 are each amended to read as follows:

If any land acquired by a county through foreclosure of tax liens, or otherwise, comes within the classification of land described in RCW 76.12.020 and can be used as state forest land and if the board deems such land necessary for the purposes of this chapter, the county shall, upon demand by the board, deed such land to the board and the land shall become a part of the state forest lands, and upon such deed being made the commissioner of public lands shall be notified and enter and note it upon the records of his office.

Such land shall be held in trust and administered and protected by the board as other state forest lands. Any moneys derived from the lease of such land or from the sale of forest products, oils, gases, coal, minerals, or fossils therefrom, shall be distributed as follows:

(1) The expense incurred by the state for administration, reforestation, and protection, not to exceed twenty-five percent, which rate of percentage shall be determined by the board of natural resources, shall be returned to the forest development account in the state general fund: PROVIDED, That for moneys received as deposits from successful bidders, advance payments, and security under RCW 79.01.132 and 79.01.204 prior to the effective date of this 1981 act and not distributed under this section prior to the effective date of this 1981 act, an amount not to exceed fifty percent, which rate of percentage shall be determined by the board of natural resources, shall be returned to the forest development account in the state general fund.

(2) Any balance remaining shall be paid to the county in which the land is located to be paid, distributed, and prorated, except as hereinafter provided, to the various funds in the same manner as general taxes are paid and distributed during the year of payment: PROVIDED, That any such balance remaining paid to a county of the seventh, eighth, or ninth class shall first be applied to the reduction of any indebtedness existing in the current expense fund of such county during the year of payment."

Renumber the sections consecutively and correct internal references accordingly.

On page 1, line 5 after "79.64.040;" insert "amending section 3, chapter 288, Laws of 1927 as last amended by section 1, chapter 244, Laws of 1971 ex. sess. and RCW 76.12.030;"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 773, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ebers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Valle.

Engrossed Substitute House Bill No. 773, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 768, by Committee on Institutions and Representative Houchen:

Modifying provisions relating to the department of corrections.

The bill was read the second time.

Committee on Appropriations – Human Services recommendation: Majority, do pass as amended by Committee on Institutions. (For amendments, see Journal, 3rd Day, 2nd ex. sess., November 11, 1981.)

Ms. Houchen moved adoption of the committee amendments. Representatives Houchen and Nelson (D) spoke in favor of the committee amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 768, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Valle.

Engrossed House Bill No. 768, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

November 14, 1981

HOUSE BILL NO. 759, Prime Sponsor: Committee on Appropriations – Human Services, enacting the social and health services financial responsibility act. Reported by Committee on Appropriations – Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Tilly, Valle.

Voting nay: Representative Pruitt.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and House Bill No. 759 was placed at the bottom of today's second reading calendar.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:00 a.m., Tuesday, November 17, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, November 17, 1981.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Valle and Winsley. Representative Valle was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rhea Mertena and Brian Toppen. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 804, by Representatives Amen, Barr, Flanagan, Prince, Taylor, Fancher, Clayton, Smith, Tilly, Struthers, Hastings and Padden:

AN ACT Relating to the department of natural resources; amending section 17, chapter 143, Laws of 1981 (uncodified); and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 805, by Committee on Institutions and Representative Houchen:

AN ACT Relating to juveniles; adding a new section to chapter 13.40 RCW; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 806, by Committee on Ways and Means and Representative Chandler:

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

To Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

SECOND READING

HOUSE BILL NO. 756, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions relating to public assistance.

The bill was read the second time. On motion of Mr. Lewis, Second Substitute House Bill No. 756 was substituted for House Bill No. 756, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 756 was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Stratton and Padden:

On page 8, line 33 after "verified" insert "; PROVIDED, That nothing in chapter 74.09 RCW shall be construed to permit the granting of medical assistance, medical care services or limited casualty program services where the purpose of such services is to obtain an abortion, induced premature birth except (a) where such procedure is necessary for the preservation of the life of the woman seeking such treatment; (b) and induced premature birth intended to produce a live, viable child and such procedure is necessary for the health of the mother or her unborn child; (c) for victims of rape reported within seventy-two hours of such incident to a federal, state, or county law enforcement agency or the department of social and health services; or (d) for the victims of incest"

Mr. Van Dyken spoke in favor of the amendment.

MOTION

Mr. Tupper moved that the amendment be tabled. The motion failed.

Representatives Lewis, Lane, Pruitt, Tupper and Brekke spoke against the amendment, and Ms. Stratton spoke in favor of it.

Mr. Wang moved adoption of the following amendment to the amendment by Representative Van Dyken and others:

On page 1 of the Van Dyken amendment after "incest" insert ": PROVIDED FURTHER, The previous provision shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (G): "Mr. Speaker, will you extend to the body an opinion as to what will go with this referendum? Is it just the funding of abortion by the state, or will it take any other portion of the measure to the ballot?"

With the consent of the House, Mr. Wang withdrew the amendment to the amendment.

Representatives Wang, Hine and Teutsch spoke against the amendment, and Representatives Bond and Van Dyken spoke in favor of it.

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

The amendment was adopted.

Ms. Gruger moved adoption of the following amendments:

On page 4, line 7 after "who" strike "." and insert "((:)) meet the conditions of (a) and (b) of this subsection or pregnant women in need who meet the conditions of (c) of this subsection."

On page 4, after line 21 insert the following:

"(c) Pregnant women who would be eligible for aid to families with dependent children if the child had been born and was living with the mother during the month of the payment and the pregnancy has been medically verified."

Ms. Gruger spoke in favor of the amendments.

POINT OF INQUIRY

Ms. Gruger yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Gruger, my question deals with the second portion of this amendment, on page 4, line 21. Is it your intention that a young woman who is living at home and, unfortunately, becomes pregnant—she is living with her parents at that time, but if she were to move out of that home she would be eligible for the AFDC program—I think I see what you are trying to do, but you have created an administrative nightmare with this as to determination of who is and who isn't eligible for AFDC."

Ms. Gruger: "First of all, Representative Nisbet, we are not discussing AFDC; we're talking about the unemployed general assistance program which is what the person would be receiving under my amendment."

Mr. Nisbet: "Well, I know you're not talking about it, but you are using the criteria that is the basis for what you are attempting to do."

Ms. Gruger: "On a realistic level, Representative Nisbet—and I have been a case worker interviewing both families and young women as a family service case worker—girls do not move away from home in order to receive a welfare grant. If they leave home, it's because the parents find it unbearable in the embarrassment that their daughter is pregnant and unmarried."

Mr. Lewis spoke against the amendment, and Representatives Kreidler, O'Brien and Pruitt spoke in favor of it.

Mr. Nisbet again opposed the amendment.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Gruger to Second Substitute House Bill No. 756, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Barrett, Becker, Bender, Brekke, Burns, Dawson, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King R., Kreidler, Lane, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Padden, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Van Dyken, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Valle, Winsley.

Second Substitute House Bill No. 756 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 770, by Committee on Education and Representative Taylor:

Changing law respecting student learning objectives and achievement level surveys of students.

The bill was read the second time. On motion of Mr. Taylor, Substitute House Bill No. 770 was substituted for House Bill No. 770, and the substitute bill was placed on the second reading calendar.

MOTION

On motion of Mr. Nelson (G), House Bill No. 800 was placed on the second reading calendar for immediate consideration.

HOUSE BILL NO. 800, by Committee on Appropriations - Education and Representative McDonald:

Eliminating explicit state support of traffic safety education and transferring the funds to the support of the common schools.

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

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 778, by Select Committee on Deregulation and Productivity (originally sponsored by Select Committee on Deregulation and Productivity and Representative Williams):

Revising provisions for licensing and regulation of certain professions.

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

Representatives Williams and James spoke in favor of passage of the bill, and Mr. King (R) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 778, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Lane, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Eng, Garrett, Gruger, Heck, Kaiser, King R., Kreidler, Lux, Maxie, Monohon, Rinehart, Rust, Salatino, Wang, Warnke.

Not voting: Representatives Valle, Winsley.

Substitute House Bill No. 778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 782, by Committee on Higher Education (originally sponsored by Committee on Higher Education and Representative McDonald):

Implementing laws relating to discharge of community college personnel.

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

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and the bill was returned to second reading for the purpose of amendment.

Mr. Burns moved adoption of the following amendment by Representatives Burns, King (R) and Grimm:

Beginning on page 1, line 6 after "Section 1." strike the remainder of the bill and insert: "There is added to chapter 283, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

(1) If within thirty days after the effective date of this act, the board of trustees of any community college district and the representatives of any employee organization as defined in RCW 28B.52.020 reach a formal agreement on a method to provide for a lay-off and recall of tenured or probationary faculty members as authorized in subsections (2) and (3) of this section, then such method as set forth in such formalized agreement shall be utilized in lieu of the provisions of said subsections (2) and (3) hereof: PROVIDED, That any such agreement, recognizing maintenance of the seniority and leave rights of employees to be separated from service, shall provide for final determination of such separation from service within at least ninety days from the initial notice thereof provided by the community college.

(2) Every board of trustees may declare a financial emergency under the following conditions: (a) Reduction of allotments by the governor pursuant to RCW 43.88.110(2), or (b) reduction by the legislature from one biennium to the next or within a biennium of appropriated funds based on constant dollars using the implicit price deflator. When the board of trustees determines that a lay-off and recall of tenured or probationary faculty members may be necessary due to financial emergency as declared by the board, written notice of the separation from service shall be given the faculty members so affected by the president or district president, as the case may be. Said notice shall clearly indicate that separation is not due to the job performance of the employee and hence is without prejudice to such employee and need only state in addition the basis for the lay-off and recall as one or more of the reasons enumerated in (a) and (b) of this subsection.

(3) Said tenured or probationary faculty members will have a right to request a binding arbitration hearing when being dismissed pursuant to subsections (2) (a) and (b) of this section. The only issue to be determined shall be whether under the applicable policies, rules or collective bargaining agreement, including consideration of lay-off units and seniority thereunder, the particular faculty member or members advised of severance are the proper ones to be terminated. Said hearing shall be initiated by filing a written request therefor with the president or district president, as the case may be, within ten days after issuance of such notice. The president, upon receipt of such notice, shall within three days apply to the American Arbitration Association to provide a list of five qualified arbitrators; such list shall be furnished by such association to said president within five days of the receipt of the request therefore. Upon receipt of such list, the president shall immediately notify the board of trustees and the representative of the employee organization of a date, time, and place (not later than five days thereafter) for a representative of each party to meet with such president to determine which one of the five arbitrators on such list shall preside at such hearing, each party having a successive duty to strike one name, until only one name remains on such list; the president shall then immediately notify the American Arbitration Association of such choice, and the arbitrator so chosen, with the cooperation of such president, shall set the date, time and place for the arbitration hearing, which shall convene not later than days after such arbitrator has been chosen, notice thereof being given to the parties concerned. The arbitrator shall have such powers as provided the arbitration panel in RCW 41.56-.450; such hearing shall be concluded within days; the arbitrator shall make his written findings of fact and determination based on the evidence within days thereafter, a copy of which shall be immediately served by the arbitrator on the parties concerned: PROVIDED, That the arbitrator may differentiate in his findings and determinations as to the individuals concerned when a consolidated hearing is held. Each determination of the arbitrator shall be final and binding upon all parties thereto. Failure by a faculty member to timely request an arbitration hearing hereunder shall cause separation from service of such faculty members so notified on the effective date as stated in the notice, regardless of the duration of any individual employment contract.

Where there is more than one faculty member affected by the board of trustees' reduction in force who request an arbitration hearing, such faculty members requesting hearing shall be deemed to be acting collectively in making such request and a consolidated hearing shall be held: PROVIDED, That costs incurred for the services and expenses of such hearing shall be shared equally by the community college and the faculty member or faculty members requesting hearing.

Separation from service without prejudice after an arbitration hearing under the provisions of this section shall become effective upon notice to the board of trustees of the arbitrator's findings and determinations.

It is the intent of the legislature by enactment of this section and in accordance with RCW 28B.52.035, to modify any collective bargaining agreements in effect, or any conflicting board policies or rules, so that any separation from service which take place after this section becomes effective, whether in progress or to be initiated, will comply solely with the provisions of this section: PROVIDED, That any applicable policies, rules, or provisions contained in a collective bargaining agreement related to lay-off units, seniority and re-employment rights shall not be affected by the provisions of this paragraph: PROVIDED FURTHER, That any rights of any employee terminated from service under the provisions of this section shall not be prejudiced upon a return to service thereafter.

Nothing in this section shall be construed to affect the right of the board of trustees or its designated appointing authority not to renew a probationary faculty appointment pursuant to RCW 28B.50.857.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representatives Burns and King (R) spoke in favor of the amendment, and Mr. McDonald spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Burns, King (R) and Grimm to Substitute House Bill No. 782, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lane, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Valle, Winsley.

MOTION

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

Representatives King (R) and Rust spoke against passage of the bill, and Mr. McDonald spoke in favor of it.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Warnke.

Mr. Warnke: "Representative McDonald, going through the bill, I just have one thing that bothers me. I understand that the Board of Trustees may declare a financial emergency and there are also some things outlined which allows them to declare that emergency. It allows them to set aside the tenure policies that they have in effect in the community college districts. Who decides when the financial emergency is over, and, if it is over do the existing contracts go back into effect?"

Mr. McDonald: "Let me first outline what derives the decision. Basically, it's the constant dollar amount of money that they have dropped in a budgeting period or because of a budget shortfall; then they can reduce proportional to that amount. Presumably, when you get back into a situation where you do have the money, those people who have been laid off will be the ones that will be first hired back on, Representative Warnke. That is my understanding."

Ms. Teutsch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 782, and the bill passed the House by the following vote: Yeas, 55; nays, 41; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hastings, Houchen, Isaacson, James, Johnson, King J., Lane, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hankins, Heck, Hine, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Walk, Wang, Warnke.

Not voting: Representatives Valle, Winsley.

Substitute House Bill No. 782, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Wednesday, November 18, 1981.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

TENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, November 18, 1981.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Gruger, Hine, Valle and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andy Bond and Joe Joss. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

OATH OF OFFICE

The Speaker appointed Representative Sommers to escort Mr. Seth Armstrong to the rostrum. (Mr. Armstrong was elected on November 3, 1981 to fill the unexpired term of the 36th District.)

The Speaker administered the oath of office to Mr. Armstrong and the Chief Clerk presented him with a Certificate of Election.

Ms. Sommers escorted Representative Armstrong to a seat within the House Chamber.

COMMITTEE APPOINTMENTS

The Speaker appointed Representative Armstrong to Committee on Education, Committee on Ethics, Law and Justice and Committee on Energy and Utilities.

The Speaker appointed Representative Eberle to Committee on Education.

The Speaker appointed Representative Vander Stoep to the Council on Aging.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 807, by Representatives Gallagher, McCormick, King (R) and Martinis:

AN ACT Relating to the establishment and operation of a state lottery; creating new sections; creating a new chapter in Title 67 RCW; adding a new section to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; providing penalties; and making an appropriation.

To Committee on Labor and Economic Development

HOUSE BILL NO. 808, by Representatives Nisbet, Owen, Houchen and Struthers (by Executive request):

AN ACT Relating to corrections; amending section 1, chapter 234, Laws of 1981 and RCW 43.83H.172; and adding a new section to chapter 143, Laws of 1981.

To Committee on Appropriations - Human Services

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

November 16, 1981

HOUSE BILL NO. 795, Prime Sponsor: Committee on Labor and Economic Development, establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass without amendments by Committee on Labor and Economic Development. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Becker, Thompson, Warnke.

Passed to Committee on Rules for second reading.

November 16, 1981

HOUSE BILL NO. 796, Prime Sponsor: Committee on Labor and Economic Development, revising laws on review of apprenticeship programs. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments only:

On page 1, line 17 after "34.04 RCW." insert "The fees for individual apprenticeship or training agreements may be established at variable levels based on the prevailing salary levels in such apprenticeship or training program."

On page 1, after line 20 insert the following:

"(2) The department shall set the fees permitted by this chapter at a level that generates revenue that is as near as practicable to the amount of the appropriation for the apprenticeship division for each biennium."

Renumber the remaining subsections and correct references accordingly.

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Becker, Thompson, Warnke.

Passed to Committee on Rules for second reading.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order at 1:30 p.m.

Representatives Gruger, Hine and Winsley appeared at the bar of the House.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 770, by Committee on Education (originally sponsored by Committee on Education and Representative Taylor):

Changing law respecting student learning objectives and achievement level surveys of students.

The bill was read the second time.

Mr. Dawson moved adoption of the following amendment by Representatives Dawson, Garson, Johnson, Schmidt, James, Barr, Lundquist, Flanagan, Fancher, Ellis, Hastings, Nisbet, Williams, Bickham, Smith, McGinnis, Leonard, Prince, Rosbach, Fiske, Tilly, McDonald, Tupper, Nickell, Clayton, Lane, Winsley, Chamberlain and Isaacson:

On page 11, following section 5, add a new section to read as follows, and renumber the remaining section consecutively:

"Sec. 6. Section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010 are each amended to read as follows:

The board of directors of any school district may borrow money and issue negotiable coupon bonds therefor for the purpose of:

- (1) Funding outstanding indebtedness or bonds theretofore issued; or
- (2) For the purchase of sites for all buildings, playgrounds, physical education and athletic facilities and structures authorized by law or necessary or proper to carry out the functions of a school district; or
- (3) For erecting all buildings authorized by law, including but not limited to those mentioned in subparagraph (2) immediately above or necessary or proper to carry out the functions of a school district, and providing the necessary furniture, apparatus, or equipment therefor; or
- (4) For improving the energy efficiency of school district buildings and/or installing systems and components to utilize renewable and/or inexhaustible energy resources; or
- (5) For major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district; or
- (6) For the purchase of pupil transportation vehicles; or
- (7) For any or all of these purposes.

Neither the amount of money borrowed nor bonds issued therefor shall exceed the limitation of indebtedness prescribed by chapter 39.36 RCW, as now or hereafter amended.

Bonds may be issued only when authorized by the vote of the qualified electors of the district as provided by law.

The bonds so issued shall be in such form, for such terms, bear such interest, be sold in such manner, and be payable and redeemable, as the board of directors shall determine in accordance with this chapter and chapter 39.44 RCW."

POINT OF ORDER

Mr. Thompson: "Mr. Speaker, I would like to have your ruling as to whether or not this amendment is germane to the bill."

SPEAKER'S RULING

The Speaker: "The Speaker has examined the bill as printed and finds that it has some fifty-three repealers in it; it has an extremely broad title; it deals in part with a section that relates to the cigarette tax, and how it was originally used to fund education; it repeals some bonding statutes. The amendment is dealing with another section of 28A, the education section of the RCW, and with a section on bonds as well, and adds another purpose for the bonding, so the Speaker would find the amendment is within the scope and object of the bill."

Mr. Dawson moved adoption of the following amendment to the amendment by Representative Dawson and others:

On page 2, line 14 of the amendment following "vehicles" insert "other than replacement vehicles"

Representatives Dawson and Granlund spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker declared the question before the House to be the amendment as amended.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dawson and others as amended to Substitute House Bill No. 770, and the amendment as amended was adopted by the following vote: Yeas, 77; nays, 20; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barr, Barrett, Becker, Bender, Bickham, Bond, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Galloway, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Berleen, Brekke, Brown, Ehlers, Eng, Erak, Flanagan, Gallagher, Garrett, Heck, Hine, Kreidler, Leonard, Lux, Monohon, North, O'Brien, Sherman.

Not voting: Representative Valle.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "Nay" to "Aye" on the amendment to Substitute House Bill No. 770 by Representative Dawson.

MARGARET LEONARD, 3rd District.

Ms. Hine moved adoption of the following amendments by Representatives Hine, Cantu and Galloway:

On page 3, line 33 after "(1)" strike everything through "(2)" on line 35.

On page 6, after line 32 insert a section as follows:

"Sec. 2. Section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. and RCW 28A.03.360 are each amended to read as follows:

(1) It shall be the intent and purpose of this section to direct the office of superintendent of public instruction to conduct standardized reading, mathematics, and language arts achievement level surveys of approximately two thousand students distributed throughout the state in each of the grade levels eight and eleven during such testing cycles as provided for in subsection (2) of this section. The survey testing shall be based on a statistical random sample of students from these grade levels sufficient to generalize about all of the students at each of the selected grade levels from the state's school districts. The purpose of these surveys is to allow the public and the legislature to evaluate how Washington students in these grades compare to students in the same grades tested in other comparable national achievement surveys. The office of superintendent of public instruction shall coordinate such tests and provide such information as obtained therefrom to the legislature no less often than once every four years.

(2) The superintendent of public instruction shall prepare a report to the legislature on the achievement levels of students in grades eight and eleven based on the achievement level surveys conducted in the 1975-77 biennium and for each of the subsequent testing cycles as designated by the superintendent of public instruction's office. Such report shall include a comparison of the achievement levels attained by Washington students to the levels attained by students outside of the state, with special emphasis placed on the basic skills of reading, mathematics, and language arts. Such report shall also focus on appropriate input variables and comparisons of variables reported by other states' testing programs.

(3) Results of the first survey test shall be made available to the school districts and the legislature no later than June 30, 1977.

(4) In addition to the survey testing for grades eight and eleven as set forth in this section, every school district is encouraged to test pupils in grade two by an assessment device designed or selected by the local school districts. This test shall be used to help teachers in identifying those pupils in need of assistance in the skills of reading, writing, mathematics, and language arts. The test results are not to be compiled by the superintendent of public instruction, but are only to be used by the local school district.

(5) The superintendent of public instruction shall prepare, with the assistance of local school districts, and conduct a standardized achievement test to be given annually to all pupils in grade four. The test shall assess students' skill in reading, mathematics, and language arts and shall focus upon appropriate input variables. Results of such tests shall be compiled by the superintendent of public instruction, who shall make those results available annually to the legislature, to all local school districts and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels and input variables of their children as compared with the other students within the district, the state and, if applicable, the nation. The tests under this subsection shall not be required during the period from July 1, 1981 until June 30, 1983.*

Renumber the remaining sections consecutively.

Representatives Hine, Bender, Cantu and Ehlers spoke in favor of the amendments, and Representatives Taylor and Dickie spoke against them.

Mr. Taylor spoke again in opposition to the amendments, and Ms. Hine spoke again in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Hine, Cantu and Galloway to Substitute House Bill No. 770, and the amendments were adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Brekke, Brown, Burns, Cantu, Eberle, Ehlers, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Houchen, James, Kaiser, King J., King R., Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Walk, Wang, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Barrett, Berleen, Bickham, Bond, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fancher, Fiske, Garson, Greengo, Hankins, Hastings, Isaacson, Johnson, Kreidler, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley.

Not voting: Representatives Padden, Valle.

Ms. Galloway moved adoption of the following amendment by Representatives Galloway, Maxie and Cantu:

On page 7, line 16 after "That" strike all material down to and including "Learning" on page 7, line 23 and insert ") The school district ((must-evidence)) will involve the community ((participation)) in defining and periodically reviewing the objectives of such a program. Such program of student learning objectives shall assure that the district's resources in such educational program (~~(-such as money, facilities, time, materials and personnel,))~~) shall be utilized so as to provide both economies in management and operation, and quality education in the aforesaid areas and courses: PROVIDED FURTHER, That such learning"

Representatives Galloway, Taylor, Cantu, Maxie and Heck spoke in favor of the amendment, and Representatives Lewis and Dickie spoke against it.

Representatives Galloway and Taylor spoke again in favor of the amendment.

The amendment was adopted.

MOTION FOR RECONSIDERATION

Ms. Houchen, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendments by Representative Hine and others were adopted.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Hine amendments were adopted, and the motion was carried by the following vote: Yeas, 49; nays, 48; not voting, 1.

Voting yea: Representatives Amen, Barr, Barrett, Berleen, Bickham, Bond, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barnes, Becker, Bender, Brekke, Brown, Burns, Cantu, Eberle, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Walk, Wang, Warnke.

Not voting: Representative Valle.

The Speaker stated the question before the House to be reconsideration of the amendments by Representative Hine and others.

POINT OF INQUIRY

Ms. Houchen yielded to question by Mr. Bender.

Mr. Bender: "Representative Houchen, will you explain to this body why you are changing your vote? What weighed your decision?"

Ms. Houchen: "Well, Representative Bender, it's a little embarrassing. I was off the floor working on another bill, and I came whipping back to my seat to change the vote and I simply voted the wrong way."

ROLL CALL

The Clerk called the roll on reconsideration of the amendments by Representative Hine and others to Substitute House Bill No. 770, and the amendments were adopted by the following vote: Yeas, 51; nays, 46; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Brekke, Brown, Burns, Cantu, Eberle, Ehlers, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hankins, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Walk, Wang, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Barrett, Berleen, Bickham, Bond, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fancher, Fiske, Garson, Greengo, Hastings, Houchen, Isaacson, Johnson, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley.

Not voting: Representative Valle.

On motion of Mr. Dawson, the following amendment to the title was adopted:

On line 1 of the title after "education;" and before "amending" insert "amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010;"

On motion of Ms. Hine, the following amendments to the title were adopted:

On page 1, line 1 of the title after "education;" insert "amending section 1, chapter 98, Laws of 1975-76 2nd ex. sess. and RCW 28A.03.360;"

On page 1, line 11 of the title after "section;" strike everything through "28A.03.360;" on line 13

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Nelson (G).

Mr. Nelson (G): "Representative McDonald, now with the amendment that has been placed on Substitute House Bill No. 770, I'd like to have you explain to the body what type of savings and the amount, if you can, is now going to be given to the school districts across the state during this biennium? Perhaps you can tell us what the savings would have been had we had no amendments, and now, with the amendments, what the savings will potentially be?"

Mr. McDonald: "Representative Nelson, there will be no change since the Hine amendment that was adopted concerning the fourth grade testing does not affect this biennium. There would be an effect over the next six years, but I think that although we only have \$201,000 or \$202,000 for this biennium, I believe that it is much higher because, particularly in the area of student learning objectives, there are an awful lot of hours expended on the effort that I believe will be used in more productive ways. The fiscal note to this biennium will not change."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 770, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith,

Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Valle.

Engrossed Substitute House Bill No. 770, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

November 18, 1981

HOUSE BILL NO. 788, Prime Sponsor: Representative Nelson (G), providing a temporary modification in the state retail sales and use tax rates. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Addison, Bickham, Hastings, Sanders, Chandler, Chairman of Ways and Means.

MINORITY recommendation: Do not pass. Signed by Representatives Rinehart, Ranking Minority Member; Brown, Galloway, Granlund, Rust.

Voting nay: Representative Bond.

November 17, 1981

HOUSE BILL NO. 799, Prime sponsor: Representative Mitchell, transferring the responsibilities of the state commission for the blind to the department of social and health services. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Lewis, Nickell, Rust.

Voting nay: Representatives Kaiser, McGinnis, Nelson (D), O'Brien, Rinehart.

Not attending: Representatives Johnson, Sprague.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Bill No. 788 and House Bill No. 799 were advanced to second reading and placed at the bottom of today's second reading calendar.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business:

AMENDMENT TO HOUSE RULES

On motion of Mr. Nelson (G), the rules were suspended, to allow consideration of an amendment to House Rule 28.

On motion of Mr. Nelson (G), the following amendment to House Rule 28 was adopted: Following "4. Energy & Utilities....." strike "17" and insert "18"

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 788, by Representative Nelson (G):

Providing a temporary modification in the state retail sales and use tax rates.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 788 was substituted for House Bill No. 788, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 788 was read the second time.

On motion of Mr. Nelson (G), the following amendment was adopted:

On page 1, line 22 after "price" insert ": PROVIDED FURTHER, That such tax shall be levied and collected in an amount equal to four and one-half percent of the selling price of goods or services sold pursuant to a written contract enforceable at law on or before November 1, 1981, regardless of the date of delivery or performance"

Mr. Greengo moved adoption of the following amendment:

On page 1, beginning on line 14 after "price:" strike the remainder of subsection (1) and insert "PROVIDED, That from and after the first day of (~~June, 1976~~) December, 1981, until the thirtieth day of June, (~~(1979)~~) 1983, such tax shall be levied and collected in an amount equal to (~~(four and six-tenths)~~) five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the first day of October, 1982, until the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to five percent of the selling price, if the total revenue received by the state under chapters 82.04, 82.08, 82.12, 82.16, 82.20, and 82.26 RCW from and after the first day of January, 1982, until the fifteenth day of September, 1982, exceeds two billion six hundred million dollars."

Mr. Greengo spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Greengo, \$2,600,000 is a round number, and I don't have with me, immediately at hand, the precise estimate for this period of time nor the figures of the latest projection provided to us by the LBC. Could you remind us what the specific estimate is?"

Mr. Greengo: "I believe the OFM has come out with a revenue projection which shows us being short \$601 million in the general fund. What I tried to do was put in the sum of money that would be coming into the treasury if this tax is in place and if our revenue assumptions, as given to us, hold true. The number that I've been given by staff is \$2,600,000—that's rounded to the next highest number to keep it simple. If we receive that money by September 15, the tax lowers automatically. What we're doing is making this trigger on an actual receipt date rather than a calendar day. It's the receipt of the actual dollars in the treasury."

Ms. Sommers: "So when the Department of Revenue makes its usual midmonth estimate or calculation, the rate would be dependent upon a statement by the Department of Revenue? In other words, on the 15th of September, 1982, the Department of Revenue would make its statement that the rate should continue to be 5-1/2%?"

Mr. Greengo: "Representative Chandler has just handed me the exact figures. Without this tax, on September 15, 1982, from the RCW's we have quoted starting on the first of January, the Treasurer should receive \$2,397,000. We're saying with this tax increase in place that number will increase to \$2,600,000, and, if, in fact, it is there—and not by the Department of Revenue's count but by the Treasurer's count—in the general fund, then that would be the signal for the Treasurer to say that it is there, and then the Department of Revenue would instigate the reduction of the sales tax beginning September 30th."

Ms. Sommers: Can the Department feasibly, technically make a decision and then have it implemented within fifteen days? That's one more question, and then my last question would be: Is it constitutionally valid for us to delegate taxing authority in this way?"

Mr. Greengo: "The answers I've had, and I've had this amendment in the works for some number of days, is yes, they can handle it. It will be a little bit of work. The AG was questioned on the constitutionality of this with the RCW's and the Constitution, and Mr. Lee Johnson, an assistant AG, has assured us that it is legal. Yes, there is some work that has to be done at that point, of course, but it is constitutional."

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Thompson.

Mr. Thompson: "We appreciate your patience, Representative Greengo, with our struggle to understand this. These questions are asked earnestly. What happens if that figure is not raised?"

Mr. Greengo: "In the absence of the Treasurer telling the Department of Revenue that he has gotten \$202.6 million dollars, nothing happens and the one-cent increase stays on until the end of the biennium?"

Mr. Thompson: "Then that would mean that it would end at the end of the biennium?"

Mr. Greengo: "Yes."

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Ehlers.

Mr. Ehlers: "How long have you known that this proposal might be an amendment? Did I understand you to say two or three days?"

Mr. Greengo: "I've been working on it, actually, for several weeks, Representative Ehlers. I've been trying to convince enough people—first of all, I tried to work out the problems; secondly, I tried to establish that it really had some validity in the House. It looked like it might pass, so I offered it."

Mr. Ehlers: "Two or three weeks? How many people on this side of the aisle did you talk to about it?"

Mr. Greengo: "I haven't talked to anybody particularly other than in the Revenue Committee. I've mentioned to a few members there. Basically, I've been working with staff to see if it is a practical idea."

Mr. Ehlers spoke against adoption of the amendment.

The amendment was adopted.

Substitute House Bill No. 788 was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson (G), Lewis, Hastings, and Chandler spoke in favor of passage of the bill, and Representatives Rust, Sommers and Rinehart spoke against it.

Mr. Heck demanded an oral roll call vote and the demand was sustained.

Mr. Patrick spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 788, and the bill failed to pass the House by the following vote: Yeas, 39; nays, 58; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Bickham, Cantu, Chamberlain, Chandler, Dickie, Eberle, Ellis, Fancher, Garson, Greengo, Hankins, Hastings, Houchen, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Patrick, Prince, Rosbach, Sanders, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Clayton, Dawson, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Thompson, Walk, Wang, Warnke.

Not voting: Representative Valle.

Engrossed Substitute House Bill No. 788, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which the House failed to pass Engrossed Substitute House Bill No. 788.

HOUSE BILL NO. 759, by Committee on Appropriations – Human Services and Representatives Mitchell and Brekke (by Department of Social and Health Services request):

Enacting the social and health services financial responsibility act.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 759 was substituted for House Bill No. 759, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 759 was read the second time.

On motion of Mr. Nelson (G), the following amendment by Representatives Nelson (G), Amen, Thompson and Warnke was adopted:

On page 7, line 12 strike "legislature" and insert "legislative budget committee"

Ms. Becker moved adoption of the following amendment:

On page 12, after line 33 insert a new subsection to read as follows:

"(3) The secretary may waive collection of an obligation incurred under this chapter when the recipient is no longer receiving services and the obligation has been deemed uncollectable. The secretary shall consider the cost of collection in determining the uncollectability of an account."

Representatives Becker and Nisbet spoke in favor of the amendment, and it was adopted.

Ms. Becker moved adoption of the following amendment by Representatives Becker and Nisbet:

On page 13, beginning on line 6, after "Chapter 74.20A RCW" insert ": PROVIDED FURTHER, That the department may enforce, through administrative orders of garnishment, finds of responsibility which have become final; such orders shall have only the force and effect of garnishment issued through the superior court under chapter 7.33 RCW; administrative orders of garnishment shall be subject to the exemptions and protections provided to garnishees and debtors after judgment under chapter 7.33 RCW; the department shall adopt rules necessary to the administration of administrative orders of garnishment."

Representatives Becker and Nisbet spoke in favor of the amendment, and Representatives Dawson, Kreidler, Houchen and Ellis spoke against it.

The amendment was not adopted.

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

On page 14, line 30 strike "14" and insert "19"

On page 15, lines 7 and 33 strike "14" and insert "19"

On page 17, lines 4 and 22 strike "14" and insert "19"

On page 20, lines 9 and 19 strike "14" and insert "19"

On page 26, line 26 strike "14" and insert "19"

On page 29, line 24 strike "14" and insert "19"

On page 30, line 27 strike "14" and insert "19"

On page 31, line 4 strike "14" and insert "19"

On page 42, line 6 strike subsection (33)

On page 42, line 9 strike "14" and insert "19"

The Clerk read the following amendment by Representatives Nelson (D) and Van Dyken:

On page 15, after line 33 strike all material down to and including "child:)" on page 16, line 12.

With the consent of the House, Mr. Nelson (D) withdrew the amendment.

Ms. Houchen moved adoption of the following amendment:

On page 16, beginning on line 9 after "orders." strike everything through line 12 and insert "This section shall not apply when the custody of the child is vested in a department-supported facility as defined in chapter 43... RCW (sections 1 through 19 of this act). In these cases, the department shall determine the ability to pay and enforce collection under the provisions of that chapter, ((However,)) Payments shall not be required of a parent who has both opposed the placement and continuously sought reconciliation with, and the return of, the child."

Representatives Houchen, Van Dyken and Nelson (D) spoke in favor of the amendment, and Mr. Nisbet spoke against it.

Ms. Houchen spoke again in favor of the amendment.

The amendment was adopted.

Mr. Pruitt moved adoption of the following amendment:

On page 36, line 26 after "74.09.010" insert ", except with respect to visits to physicians' offices, hospital emergency rooms, and outpatient clinics"

Representatives Pruitt, Rinehart and Becker spoke in favor of the amendment, and Representatives Nisbet and Mitchell spoke against it.

Mr. Pruitt spoke again in favor of the amendment.

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

The amendment was not adopted.

On motion of Mr. Nisbet, the following amendment to the title was adopted:

On page 4 of the title, line 13, after "305;" strike all language through "74.20.300;" on line 16.

Substitute House Bill No. 759 was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nisbet and Becker spoke in favor of passage of the bill, and Mr. Pruitt spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 759, and the bill passed the House by the following vote: Yeas, 67; nays, 29; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Heck, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, Nelson D., O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Teutsch, Thompson, Wang, Winsley.

Not voting: Representatives Valle, Warnke.

Engrossed Substitute House Bill No. 759, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 756, by Committee on Appropriations - Human Services (originally sponsored by Committee on Human Services and Representative Mitchell - by Department of Social and Health Services request):

Modifying provisions relating to public assistance.

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

Mr. Lewis spoke in favor of passage of the bill, and Mr. Wang spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 756, and the bill passed the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Grimm, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Gruger, Heck, Hine, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., O'Brien, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Teutsch, Thompson, Tupper, Wang.

Not voting: Representatives Valle, Warnke.

Engrossed Second Substitute House Bill No. 756, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Thursday, November 19, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

ELEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, November 19, 1981.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ralph Cross and Joel Veit. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 809, by Committee on Labor and Economic Development and Representative Clayton (by Department of Employment Security request):

AN ACT Relating to unemployment compensation; amending section 183, chapter 35, Laws of 1945 and RCW 50.40.020; amending section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090; and adding a new section to chapter 50.40 RCW.

To Committee on Labor and Economic Development

HOUSE BILL NO. 810, by Committee on Appropriations – General Government and Representative Williams:

AN ACT Relating to state government; and amending section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1969 and RCW 43.82.010.

To Committee on Appropriations – General Government

HOUSE JOINT RESOLUTION NO. 13, by Representatives Williams, Dawson, Isaacson and Dickie:

Modifying fiscal provisions of the state Constitution.

To Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll, and all members were present except Representatives Fiske and Winsley. Representative Fiske was excused.

SECOND READING

HOUSE BILL NO. 784, by Committee on Appropriations – Education and Representative McDonald (by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

The bill was read the second time. On motion of Mr. McDonald, Substitute House Bill No. 784 was substituted for House Bill No. 784, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 784 was read the second time.

Mr. Sanders moved adoption of the following amendments:

On page 3, line 15 strike "three" and insert "one"

On page 3, line 19 strike "three" and insert "one"

Representatives Sanders and McDonald spoke in favor of the amendments, and they were adopted.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders, Bond and Eberle:

On page 5, line 25 after "concerned." insert "In any case, the extent of disclosure required concerning the parent's or legal guardian's state and federal income tax returns shall be limited to a valid copy of the listing of dependents claimed and shall not require disclosure of financial information contained in the returns."

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

Mr. Bender moved adoption of the following amendment by Representatives Bender, Salatino and Eng:

On page 8, line 29 strike all of subsection (5) and renumber the remaining subsections consecutively.

Representatives Bender and Eng spoke in favor of the amendment, and Mr. McDonald spoke against it.

Mr. Brown demanded an electric roll call vote on the amendment, and the demand was sustained.

Mr. King (R) spoke in favor of the amendment.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Dawson.

Mr. Dawson: "Representative McDonald, I would ask if you would comment once again on the conditions that would be in place if the amendment that Representative Teutsch will propose is passed?"

Mr. McDonald: "Representative Dawson, there may be some future action that will deal with this in a more comprehensive way, not that we are going to eliminate fee waivers to MIA's and POW's, because that is not the intent of the bill that is before you or the intent of the Governor, who proposed it. There is a one percent fee waiver available to each of the colleges and universities in the state, and that is available for all the categories that we have dealt with separately. Allowing those universities to exercise discretion in granting those fee waivers is, I think, the subject of a future action on this bill that will itemize which areas we feel are important. I feel that would be a better approach."

Mr. Warnke spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bender, Salatino and Eng to page 8, line 29 of Substitute House Bill No. 784, and the amendment was adopted by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Bond, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kroidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fiske, Padden, Winsley.

Ms. Brekke moved adoption of the following amendment by Representatives Brekke, Salatino and Pruitt:

On page 9, line 21 after "28B.15.742" strike all matter through "RCW 28B.15.744"

Ms. Brekke spoke in favor of the amendment, and Mr. McDonald spoke against it.

The amendment was not adopted.

Mr. McDonald moved adoption of the following amendment:

On page 10, beginning on line 34 after "certificate" strike "(--and for children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full-time or volunteer fire department in

this state))" and insert ", and the various community college boards may waive the general tuition, operating and services and activities fees for children after the age of nineteen years of any law enforcement officer or fire fighter who lost his life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state"

Mr. McDonald spoke in favor of the amendment, and Mr. King (R) spoke against it.

Mr. McDonald spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Warnke.

Mr. Warnke: "Representative McDonald, as I recall, in committee we reinserted the language that is in the bill, and that is different from the amendment you are now offering."

Mr. McDonald: "Representative Warnke, in committee we made it for research universities and regional universities, but what we are doing here is just including community colleges. It's simply a technical amendment and there is no change in the policy that we adopted in committee."

The amendment was adopted.

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

On page 11, line 14 after "fees" insert "subject to the limitations set forth in subsection (2)"

Mr. Eng moved adoption of the following amendments by Representatives Eng, Grimm, Burns and Nelson (D):

On page 12, line 25 strike "fifty-four" and insert "~~((fifty-four))~~ forty-four"

On page 12, line 30 strike "twenty-seven" and insert "~~((twenty-seven))~~ twenty-four"

On page 12, line 35 strike "seventy-two" and insert "~~((seventy-two))~~ twenty-three"

On page 13, beginning on line 4 strike "four hundred and three" and insert "~~((four hundred and three))~~ three hundred and ninety-four"

On page 16, beginning on line 12 after "PROVIDED, That" strike all matter down to and including "management" on line 21 and insert "the provisions of this subsection shall not be effective until July 1, 1983 and PROVIDED FURTHER, That any moneys deposited to the long-term loan fund prior to July 1, 1983 shall be redeposited to their respective funds or accounts as if the long-term loan fund had not been created"

On page 19, line 32 strike "thirty-eight" and insert "~~((thirty-eight))~~ eleven"

On page 20, line 1 strike "twenty" and insert "~~((twenty))~~ seventeen"

On page 20, line 9 strike "sixty-three" and insert "twenty-four"

On page 20, line 15 strike "twenty" and insert "~~((twenty))~~ seventeen"

On page 20, line 23 strike "six hundred and seven" and insert "five hundred and forty-one"

On page 20, line 27 strike "forty-two" and insert "~~((forty-two))~~ thirty-three"

On page 20, line 35 strike "one hundred and seventeen" and insert "~~((one hundred and seventeen))~~ and thirty-nine"

On page 21, line 4 strike "fifty-four" and insert "~~((fifty-four))~~ forty-five"

On page 21, line 11 strike "five" and insert "four"

On page 21, line 12 strike "ninety-four" and insert "nine hundred and sixty-five"

On page 21, line 18 strike "fifty-four" and insert "~~((fifty-four))~~ forty-five"

On page 21, line 25 strike "four hundred and ~~((thirty-seven))~~ ninety-three" and insert "two hundred and ~~((thirty-seven))~~ eighty"

On page 21, line 29 strike "fifty-five" and insert "~~((fifty-five))~~ forty"

On page 22, line 22 strike "fifty-seven" and insert "~~((fifty-seven))~~ and thirty-eight"

On page 22, line 27 strike "seventy-six" and insert "~~((seventy-six))~~ seventy-five"

On page 22, line 32 strike "thirty-five" and insert "one"

On page 23, line 3 strike "seventy-six" and insert "~~((seventy-six))~~ seventy-five"

On page 23, line 10 strike "three thousand twenty-five" and insert "~~((three thousand twenty-five))~~ two thousand and forty-nine"

On page 23, line 21 strike "ninety-seven" and insert "three"

On page 23, line 28 strike "ninety-five" and insert "~~((ninety-five))~~ eighty-eight"

Representatives Eng, Grimm and Burns spoke in favor of the amendments, and Representatives McDonald, Nelson (G) and Nisbet spoke against them.

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

Ms. Teutsch spoke against the amendments.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Hastings.

Mr. Hastings: "Representative McDonald, you've been working on the budget process quite a bit and now this has come up before us. Can you tell me what the fiscal impact would be on this?"

Mr. McDonald: "It would have a \$6.5 million fiscal impact."

Mr. Hastings spoke against the amendments.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative McDonald, it's really amazing how quickly you folks can come up with these numbers out of the air. I'm just curious, Representative McDonald, about the fiscal note that you have on this item. Could you share that document with us? We don't have that document in our books with that information."

Mr. McDonald: "I think the people in Appropriations - Education Committee have the particular document that I'm looking at. You also have a fiscal note on this particular item and I think it's outlined in it."

Mr. Ehlers: "Yes, there is a fiscal note, but there is nothing specifically dealing with it because it didn't come from that committee. I'm wondering, specifically, Representative McDonald, where you came up the \$6.5 million?"

Mr. McDonald: "That was from the TPE estimate that comes from the post secondary education estimate. The fiscal note that you may have was the one at the governor's level of \$7.4 million. In the committee we amended it down to \$6.5 million because we took out the students activities fees that Representative Teutsch is referring to. We left that in there because we didn't want to take the service and activities fees."

Mr. Ehlers spoke in favor of the amendments, and Mr. McDonald again opposed them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Eng and others to Substitute House Bill No. 784, and the amendments were not adopted by the following vote: Yeas, 43; nays, 53; not voting, 2.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fiske, Winsley.

Ms. Teutsch moved adoption of the following amendment:

On page 11, line 27 after "act" insert ": PROVIDED FURTHER, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except that priority consideration shall be given to the following classes of students:

(a) Children of any Washington resident who has been determined by the federal government to be a prisoner of war or missing in action in Southeast Asia, including Korea: For such children the tuition, operating, and services and activities fees may be waived in whole or in part;

(b) Washington residents not under sixteen and not over twenty-two years of age who have a parent who was killed or totally incapacitated from engaging in any normal employment by reason of service in the armed forces of the United States: For such children the tuition, operating, and services and activities fees may be waived in whole or in part;

(c) "Displaced homemakers," defined as individuals who have worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis, are not gainfully employed, need assistance in securing employment, and have been dependent on the income of another family member but are no longer supported by that income or are dependent on federal assistance but are no longer eligible for that assistance, or are supported as the parent of minor children by public assistance or spousal support but whose children are within two years of reaching their majority and who are eligible for resident tuition and fee rates pursuant to sections 1 through 4 of this amendatory act: For such persons the tuition, operating, and services and activities fees may be waived in whole or in part;

(d) Immigrant refugees from Vietnam, Cambodia, or Laos, including their spouses and children, who have settled in Washington state: For these persons the difference between the tuition, operating and services and activities fees charged to resident students and those fees charged to nonresident students may be waived;

(e) Students or graduates of universities or colleges of friendly foreign nations: For such students or graduates of the state universities, for up to one hundred students each, and the regional universities and The Evergreen State College, for up to twenty students each, may waive the difference between the tuition, operating, and services and activities fees charged to resident students and those fees charged to nonresident students;

(f) Nonimmigrant aliens entering the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he or she is a national, more specifically as referred to under the visa classification defined in Title 8, Section 1101(a)(15)(B)(i) under the Immigration and Nationality Act as in the Code of the United States of America, and the spouse and children of any such alien: For such persons the difference between the tuition, operating, and services and activities fees charged to resident students and those fees charged to nonresident students may be waived;

(g) Students who are nationals of a foreign country and whose parent is temporarily assigned to a consular mission within this state: For these students the difference between the tuition, operating and services and activities fees charged to resident students and those fees charged to nonresident students may be waived;

(h) Residents of the Canadian province of British Columbia: For these persons the difference between the tuition, operating and services and activities fees charged to resident students and those fees charged to nonresident students may be waived."

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

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

On page 12, line 20 strike "1981" and insert "~~((+98+))~~ 1982"
 On page 12, line 21 strike "1981-82" and insert "~~((+981-82))~~ 1982-83"
 On page 19, line 23 strike "1981" and insert "~~((+981))~~ 1982"
 On page 19, line 24 strike "1981-82" and insert "~~((+981-82))~~ 1982-83"
 On page 22, line 15 strike "1981" and insert "~~((+981))~~ 1982"
 On page 22, line 16 strike "1981-82" and insert "~~((+981-82))~~ 1982-83"
 On page 24, line 18 strike "July" and insert "June"

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

On page 14, line 20 strike "three" and insert "two"
 On page 14, line 22 strike "three" and insert "two"

Ms. Galloway moved adoption of the following amendment by Representatives Galloway and Becker:

On page 14, line 19 beginning with "students" strike all matter down through "That" on line 22

Representatives Galloway, Becker and Kreidler spoke in favor of the amendment, and Representatives McDonald, Struthers and Nelson (G) spoke against it.

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

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative McDonald, one way to look at these fees for the low credit hour courses, is in terms of the percent of actual cost of providing the instruction. Is it true that for a half credit hour course and a one credit hour course the cost of tuition would exceed the actual cost of providing the course to the students?"

Mr. McDonald: "That is not true. The cost to the community college students is about twenty-three percent of the cost, but that's on an average. With the administrative cost being much higher for enrolling and taking care of somebody who is only signed up for a one-hour course, I would submit to you that the cost of two hours is consistent with the rest of the community college population."

Mr. Nelson (D): "But it is greater, is it not, than the total instructional cost?"

Mr. McDonald: "No, that is not true. Once again, it's twenty-three percent, Representative Nelson, of the instructional cost and not of all costs at the university."

Mr. Nelson (D): "How do you explain then a document I received from your staff—from the State Board of Community College Education, dated November 12, 1981, that says for a half credit hour course under this bill, the tuition cost is 207% of the instruction cost?"

Mr. McDonald: "I think that was referring to the original three percent limitation which as been dropped down to a two percent limitation."

Mr. Nelson (D): "So you are saying that it would not increase the fee one hundred percent?"

Mr. McDonald: "In my estimation, it would not from the figures I've seen."

Mr. Nelson (D): "What is the figure then?"

Mr. McDonald: "As we've said, the operation cost for a one-hour course is still \$11, but when you add on the tuition fee, which is the capital portion, that's another \$4.33, and then you add on the student and activity fee of \$2; that brings it up to \$17.33. If you do the same thing with a two-hour course, it's \$21.66 for operation; it's \$8.33 for tuition; it's \$4.33 for student and activity fees, bringing it to a grand total of \$34.32, so I think for you to say that we are only considering operation fees, is just not correct because there are the other things—the tuition costs and the student and activity fees—that have to be figured into this whole thing. When you do that at the absolute worst for a half-hour course, it would be four times what everybody else would be paying as a percentage. I submit to you, Representative Nelson, that by having extremely high administrative costs, these things are going to wash out and we are equal."

Mr. Nelson (D) spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Galloway and Becker to Substitute House Bill No. 784, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Becker, Bender, Brekke, Brown, Burns, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Rinehart, Rust, Salatino, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fiske, Scott, Winsley.

Mr. McDonald moved adoption of the following amendment:

On page 14, line 34, strike "operating fee and insert "general tuition and operating fees"

Mr. McDonald spoke in favor of the amendment.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Warnke.

Mr. Warnke: "Representative McDonald, what's the fiscal impact on this one?"

Mr. McDonald: "\$1.1 million."

The amendment was adopted.

Mr. McDonald moved adoption of the following amendment:

On page 19, after line 16 add a new section as follows:

***NEW SECTION. Sec. 20.** The board of regents or board of trustees of each of the state's regional and state universities, The Evergreen State College, and each community college may establish an operating fee surcharge not exceeding ten percent of the fees established in section 13 through 21 of this act, to supplement funds otherwise available for institutional operating purposes. Revenues from such surcharge shall be deposited in each institution's general local fund. Establishment of, or any increase in, an operating fee surcharge shall be determined and notification made at least thirty days prior to the beginning of the academic term. Adjustments made by community college boards and trustees shall be made in accordance with rules and regulations promulgated by the state board for community college education: **PROVIDED**, That these funds shall be excluded from calculations of educational costs upon which general tuition and operating fees will be based: **PROVIDED FURTHER**, These funds shall not be used for salary increases."

Re number the remaining sections consecutively.

Mr. McDonald spoke in favor of the amendment.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Salatino.

Mr. Salatino: "Representative McDonald, is there any other governmental institution in this state that is nonelected that has the ability to raise fees or taxes as a board of trustees? Are we setting precedent here by basically allowing nonelected people to step into policy setting and raising, indirectly, taxes or fees?"

Mr. McDonald: "I think, Representative Salatino, whether they are elected or not, they certainly have a constituency out there and certainly the administration of those institutions is concerned with the students and will yield to their wishes. I think it is only appropriate that we allow this particular thing to pass as a safety valve."

Representatives Salatino, Grimm, Erak, Ehlers, Teutsch and Hine spoke against the amendment, and Representatives Patrick, Ellis, Eberle, Struthers and Barnes spoke in favor of it.

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

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Warnke.

Mr. Warnke: "Representative McDonald, I don't see any restrictions on the use of the ten percent. Could they be used for salary increases?"

Mr. McDonald: "No, that is not true. If you look at the last lines, it says, 'Provided further, these funds shall not be used for salary increases.'"

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative McDonald, this is just for the record. Can all or part be waived for the surcharge?"

Mr. McDonald: "The surcharge is totally at the discretion of the university, as this is written."

Mr. Nelson (D): "So it doesn't apply necessarily to every student evenly; it could develop a policy for waiving all or part of the surcharge?"

Mr. McDonald: "I think that is correct, Representative Nelson."

Mr. Nelson (D): "Why is this thirty days chosen? Do you think that's long enough for a student to plan for expenses in a term?"

Mr. McDonald: "Yes."

Mr. Nelson (G) spoke in favor of the amendment, and Mr. Erak again opposed it.

Mr. King (R) spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to page 19 of Substitute House Bill No. 784, and the amendment was adopted by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Not voting: Representatives Fiske, Winsley.

Representative Winsley appeared at the bar of the House.

Mr. Nelson (D) moved adoption of the following amendment by Representatives Nelson (D), Burns and Rust:

On page 21, beginning on line 11 after "be" strike all matter down to and including "seventy-five" on line 14 and insert "three thousand ((seven)) nine hundred and ((forty-one)) thirty-nine dollars, and thereafter such fees shall be ((one-hundred-and-twenty percent of such fees charged in subsection (4) above)) fifty-eight"

Representatives Nelson (D) and Rust spoke in favor of the amendment, and Representatives Nelson (G) and McDonald spoke against it.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Hastings.

Mr. Hastings: "Representative McDonald, you said this would cost considerable money. Could you tell the body how much that would be?"

Mr. McDonald: "Yes, Representative Hastings, that would be about \$2.1 million."

Mr. Hastings spoke against the amendment, and Ms. Becker spoke in favor of it.

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

Mr. Heck spoke in favor of the amendment, and Mr. Barnes spoke against it.

Mr. Nelson (G) demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (D), Burns and Rust to page 21 of Substitute House Bill No. 784, and the amendment was not adopted by the following vote: Yeas, 34; nays, 61; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Burns, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sommers, Teutsch, Thompson, Valle, Wang.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Owen, Warnke.

The Clerk read the following amendment by Representatives Nelson (D), Burns and Rust: On page 23, line 21, beginning with "three" strike all matter down to and including "seventy-five" on line 24 and insert "((three)) two thousand ((six)) four hundred ((thirty-one)) sixty-four dollars and fifty cents, and thereafter such fees shall be ((one-hundred-and-twenty percent of such fees charged in subsection (3) above)) fifty"

With the consent of the House, Mr. Nelson (D) withdrew the amendment.

Substitute House Bill No. 784 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 799, by Representatives Mitchell and Gruger:

Transferring the responsibilities of the state commission for the blind to the department of social and health services.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 799 was substituted for House Bill No. 799, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 799 was read the second time.

Mr. Nelson (D) moved adoption of the following amendments by Representatives Nelson (D) and Walk:

On page 3, beginning on line 27 strike all material down through and including "services." on page 4, line 15.

On page 4, after line 15 insert the following:

"**NEW SECTION.** Sec. 6. (1) There is hereby created a state advisory committee which shall serve in an advisory capacity on matters related to state programs for the blind and visually handicapped. The committee shall be composed of five members of whom at least three shall be blind or visually handicapped. Committee members shall be residents of the state of Washington and insofar as possible shall be selected on the basis of giving geographic representation throughout the state. No member shall be an employee of the department.

(2) The governor shall appoint members of the committee for terms of three years, except that the initial appointment shall be as follows: (a) two members for terms of three years; (b) two members for terms of two years; and (c) one member for a term of one year. Vacancies in the membership of the committee shall only be filled for the remainder of the unexpired term.

(3) Committee members shall elect one of their members as chairperson of the committee for a term of one year or until a successor has been elected. The committee chairperson shall preside over meetings to be held at least once every quarter on such date and at such place as may be set by the committee. In addition, a majority of the committee may require such special meetings as may be necessary.

(4) Committee members shall not receive a salary, but shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 7. The state advisory committee shall have the following powers and duties:

(1) To serve in an advisory capacity on all matters pertaining to state programs for the blind and visually handicapped.

(2) To make recommendations on the choice of director of the blind and visually handicapped programs.*

Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Nelson (D) spoke in favor of the amendments.

MOTION

On motion of Mr. Nelson (G), Substitute House Bill No. 799 was rereferred to Committee on Rules.

MOTION FOR RECONSIDERATION

Mr. Isaacson, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Substitute House Bill No. 788 failed to pass the House.

Representatives Isaacson, Grimm, Taylor, Heck and Lundquist spoke in favor of the motion.

POINT OF INQUIRY

Mr. Ehlers asked Mr. Nelson (G) to yield to question, and Mr. Nelson (G) refused to yield.

Representatives Ehlers, Vander Stoep and Chandler spoke in favor of the motion, and the motion carried.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 788 was rereferred to Committee on Ways and Means.

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 811, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to reductions in appropriations; adding a new section to chapter 340, Laws of 1981; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 812, by Representatives Eberle, Patrick, Vander Stoep, Barrett, Lewis, Lundquist, Johnson, Williams, Fancher, Flanagan, Chandler, Houchen, McGinnis, Barnes, Berleen, Van Dyken, Mitchell, Dickie, James, Struthers, Hastings, Nelson (G), Tilly, Sanders, Leonard, Taylor, Wilson and Schmidt:

AN ACT Relating to community service projects for welfare recipients; and adding a new chapter to Title 74 RCW.

To Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

MESSAGE FROM THE SENATE

November 19, 1981

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 766,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 766.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Friday, November
20, 1981

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

* TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, November 20, 1981.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rachel Shaw and Scott Nelson. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

REPORT OF STANDING COMMITTEE

November 20, 1981

ENGROSSED SUBSTITUTE HOUSE BILL NO. 788, Prime Sponsor: Committee on Revenue, providing a temporary modification in the state retail sales and use tax rates. Reported by Committee on Ways and Means.

MAJORITY recommendation: The second substitute bill by the Committee on Ways and Means be substituted therefor and the second substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Thompson, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, Warnke.

Not attending: Representative McDonald.

To Committee on Rules for second reading.

The House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Fiske. Representative Fiske was excused.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 784, by Committee on Appropriations - Education (originally sponsored by Committee on Appropriations - Education and Representative McDonald - by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

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

Representatives McDonald and Greengo spoke in favor of passage of the bill, and Representatives Rust and Burns spoke against it.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

Representatives Grimm, Warnke and Teutsch spoke against passage of the bill, and Mr. Williams spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 784, and the bill passed the House by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Bond, Fiske.

Engrossed Substitute House Bill No. 784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 800, by Committee on Appropriations – Education and Representative McDonald:

Eliminating explicit state support of traffic safety education and transferring the funds to the support of the common schools.

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

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

POINT OF INQUIRY

Mr. McDonald yielded to question by Ms. Galloway.

Ms. Galloway: "Representative McDonald, is it the intent of this bill in removing the dedicated funds for drivers' education to eventually cause those funds to be used as a deduct against the basic education apportionment funding?"

Mr. McDonald: "No."

Representatives Sherman, Kaiser, Bender and Warnke spoke against passage of the bill, and Representatives James, Taylor, Patrick, Stratton and Barrett spoke in favor of it.

POINT OF INQUIRY

Mr. McDonald yielded to question by Ms. Granlund.

Ms. Granlund: "Representative McDonald, was there proper notice given for the hearing on this bill?"

Mr. McDonald: "Yes, Representative Granlund."

Ms. Granlund spoke against passage of the bill, and Mr. Patrick spoke again in favor of it.

Ms. Granlund spoke again in opposition to the bill.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Heck.

Mr. Heck: "Representative McDonald, as you are aware, there is currently in the Superintendent of Public Instruction's Office staff support for statewide coordination of the traffic safety education program. That staff in the SPI's office is funded out of a slice of the traffic safety education account, which, if this bill passes, will be abolished. Is that your intent? If not, how do you intend to provide for that staff support?"

Mr. McDonald: "I'm glad you brought that question up because I think it is important. We will have to reappropriate this fund because it is a different name of a fund if this bill passes. It would be my estimation, Representative Heck, to put language in the budget bill that does pass that would appropriate money for administration to the SPI's office for this new account."

Mr. Nelson (G) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 800, and the bill passed the House by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Dawson, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hankins, Heck, Hine, Kaiser, King J., King

R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Bond, Fiske.

House Bill No. 800, having received the constitutional majority, was declared passed. There being no objection, he title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

November 20, 1981

Last Sunday I had to make an unexpected trip to Minnesota to be with my mother who is seriously ill. Because of my responsibilities to my constituents, I would like to announce how I would have voted on final passage of the bills considered while I was with my mother: ESHB 762 - YES; ESHB 773 - YES; EHB 768 - YES; SHB 778 - YES; SHB 782 - NO; ESHB 770 - YES; ESHB 788 - NO; ESHB 759 - YES; E2SHB 756 - NO.

GEORGETTE VALLE, 31st District.

MESSAGE FROM THE SENATE

November 20, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 766,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 2:00 p.m., Sunday, November 22, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FOURTEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, November 22, 1981.

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patricia Smith and Karen Schmitt. Prayer was offered by The Reverend George Smith of Evergreen Christian Center, Olympia.

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

MESSAGE FROM THE SENATE

November 20, 1981

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 126,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 813, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to appropriations for the department of commerce and economic development; making appropriations; and declaring an emergency.

To Committee on Ways and Means

SENATE CONCURRENT RESOLUTION NO. 126, by Senators Quigg, Talley, Hemstad, Zimmerman and Gallagher:

Establishing a select committee on Mt. St. Helens disaster relief.

MOTION

On motion of Mr. Nelson (G), the bill and resolution listed on today's agenda under the fourth order of business were considered first reading and the bill was referred to the committee designated.

REPORTS OF STANDING COMMITTEES

November 20, 1981

HOUSE BILL NO. 808, Prime Sponsor: Representative Nisbet, providing for a 500-man medium security correction center. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Dawson, Houchen, Johnson, Mitchell, Tilly, Chandler, Chairman, Ways and Means.

Voting nay: Representatives Becker, Ranking Minority Member; Brekke, Kreidler, Pruitt, Valle.

Passed to Committee on Rules for second reading.

November 21, 1981

HOUSE BILL NO. 811, Prime Sponsor: Committee on Ways and Means, reducing appropriations to state agencies. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, Thompson, Warnke.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and House Bill No. 811 was advanced to second reading and placed on today's second reading calendar.

On motion of Mr. Nelson (G), the House recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 811, by Committee on Ways and Means and Representative Chandler:

Reducing appropriations to state agencies.

The bill was read the second time.

On motion of Mr. Chandler, Substitute House Bill No. 811 was substituted for House Bill No. 811, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 811 was read the second time.

MOTION

On motion of Mr. Nelson (G), the House resolved into Committee of the Whole.

COMMITTEE OF THE WHOLE

Substitute House Bill No. 811 was considered in committee of the whole, Representative Amen presiding, and reported back to the House with the recommendation that the following amendments to the bill be adopted:

On page 14, line 32; page 22, line 28; page 23, line 23; page 24, line 20; page 50, line 22; page 51, line 31; page 56, line 15; and on page 57, line 18 after "proposal for the" insert "reorganization or"

On page 9, line 28 strike "130,194,000" and insert "125,496,000"

On page 9, line 30 strike "21,384,000" and insert "20,631,000"

On page 9, line 34 strike "43,002,000" and insert "41,459,000"

On page 10, line 1 strike "194,580,000" and insert "187,586,000"

On page 10, line 7 strike "124,914,000" and insert "119,463,000"

On page 10, line 8 strike "17,436,000" and insert "16,683,000"

On page 10, line 20 strike "April" and insert "May"

On page 11, line 21 strike "35,712,000" and insert "34,169,000"

On page 74, line 4 strike "131,411,000" and insert "124,142,000"

On page 74, line 20 after "implemented on" strike "March 1, 1982" and insert "April 1, 1983"

On page 75, line 30 after "take effect on" strike "March 1, 1982" and insert "April 1, 1983"

On page 93, line 5 after the period strike all material down to and including the period on line 9

On page 93, after line 17 insert the following:

NEW SECTION. Sec. 98. There is added to chapter 340, Laws of 1981 (uncodified) a new section to read as follows:

The director of financial management shall reduce the total FTE staff years for all executive branch agencies to an estimated average of 58,000 for the period beginning on the effective date of this section and ending on June 30, 1983. The director of financial management shall allocate FTE staff years among agencies and programs in a manner that will maximize productivity. FTE staff years indicated in other sections of this act are not binding on the director of financial management.

NEW SECTION. Sec. 99. There is added to chapter 340, Laws of 1981 (uncodified) a new section to read as follows:

(1) It is the policy of the state of Washington that state agency lay offs pursuant to a reduction-in-force shall apply to the extent practicable to employees at all salary ranges within the agency and that personnel at lower salary ranges shall not be disproportionately selected for lay off.

(2) In order to accomplish this policy and except as otherwise permitted under subsection (3) of this section, a reduction-in-force, when practicable, shall be implemented in such a manner that the average salary within the agency will be maintained at the level existing immediately before implementation of the reduction-in-force.

(3) The director of the office of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section whenever the director finds that it would be inappropriate to implement the requirements due to: (a) the limited number of personnel employed by the agency; (b) the nature of the reductions; or (c) the probability that the reductions would adversely affect the efficiency and effectiveness of the agency or impede the delivery of services.

(4) Before a reduction-in-force is made, each agency head shall provide a report to the office of financial management showing: (a) the average salary within the agency before implementation of the reduction-in-force and the agency's average salary after implementation; and (b) the number of management and nonmanagement personnel laid off. The office of financial management shall submit to the fiscal and state government committees of the senate and the house of representatives the reports submitted by agencies in compliance with this subsection. A separate listing shall be supplied indicating agencies that the director has accepted from the requirements of this section."

Renumber the remaining sections consecutively.

On page 105, line 33 after "State" strike "\$3,500,000" and insert "\$300,000"

MOTION

On motion of Mr. Nelson (G), the report of the Committee of the Whole was adopted.

The bill was ordered engrossed.

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 811 be placed on final passage.

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

The Speaker stated the question before the House to be Engrossed Substitute House Bill No. 811 on final passage.

Representatives Chandler and Nelson (G) spoke in favor of passage of the bill, and Representatives Sommers, O'Brien and Thompson spoke against it.

POINT OF INQUIRY

Mr. McDonald yielded to question by Ms. Galloway.

Ms. Galloway: "Representative McDonald, under the levy lid, school districts are granted levy capacity equal to the difference between the previous years' basic education allocation converted at 100% of formula of the districts' basic education actual allocation. This levy capacity is in addition to a districts' normal levy lid. It was put in the levy lid bill in 1977 as a guarantee to school districts that if the legislature falls below the 100% funding level then the districts can make up the shortfall through the additional levy capacity. As this budget proposes, there is \$36 million, or 1.4% of the formula. Isn't it true that school districts will have their levy capacity increased by this amount?"

Mr. McDonald: "That is true."

Ms. Galloway: "So, in effect, we are actually raising property taxes?"

Mr. McDonald: "That is not true, Representative Galloway. There has to be a vote of the people to pass a levy."

Mr. Struthers demanded an oral roll call vote, and the demand was sustained.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Heck.

Mr. Heck: "You are no doubt aware that the Attorney General's office generated a series of memorandums that related to the feasibility of his office being able to successfully defend the state against the law suits brought by school districts or other parties contending that basic education is not being adequately funded. In one of those memorandums, the one dated November 4th, he states quite explicitly that if the dollars appropriated to the general apportionment formula are lower, then the formula itself must be changed if he is to successfully defend the state. Is it therefore your intent, since you are underfunding the general apportionment formula for basic education allocation by \$36 million, to go into the basic education act and revise those formulas? If not, how do you expect the AG's office to successfully defend itself, given that he has stated quite explicitly that he won't be able to?"

Mr. Chandler: "This is one of the very difficult issues that we faced in the development of this expenditure reduction and that was attempting to achieve enough in expenditure reductions in other areas of the budget without touching K-12. Frankly, it was impossible—impossible without making what I felt, and what many of the other members of the Ways and Means Committee felt were simply too substantial cuts in those areas. The decision was made that rather than do that we would, in fact, take some reduction in the common school support.

In order to do that, it was necessary to take some reduction in apportionment. It was a conscious decision to do so. I talked personally with Mr. Malone and many others who are knowledgeable in this area, and yes, you are right; I read his memo and I heard him tell us that it would be difficult to defend. Rather than redefine basic education, which you and I helped to define a few years ago, we decided it would be best to make this temporary and identify it in this budget document. You read that. We identified this reduction as a temporary one, made necessary by this condition in the state—this economic condition in the state—rather than to make what would end up being a permanent redefinition and a permanent reduction in the support of the common schools. One thing I feel most strongly about is that we should never do that. At least until we've seen strong evidence that it would make sense to do so and I haven't seen that evidence. Barring that, we decided to not make that decision. I think this is a very serious matter for all of us to consider. If this budget document here makes its way to the Senate, it's an issue that we have to deal with in a very, very conscious and careful way. The effects of reduction, as you well know, in any area of K-12, whether inside the apportionment formula or out, ends up very likely being spread across all of the spending areas at the local school district level—taken from salaries, taken from transportation, taken from any of the areas of spending. The actual fact is that school boards take the cuts from anywhere they want. We decided to be honest with ourselves and be honest with the courts, state it up front, what we are doing and why, and hope that recognizing the temporary steps that we have taken, they will agree that this action was justified and would stand up under the Constitution of the state of Washington."

Representatives Heck, Becker, Eng, Kreidler, Scott, Burns, Wang, Ehlers and Nelson (D) spoke against passage of the bill, and Representatives Sanders and Williams spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 811, and the bill passed the House by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Engrossed Substitute House Bill No. 811, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 788, by Committee on Revenue (originally sponsored by Representative Nelson, G.):

Providing a temporary modification in the state retail sales and use tax rates.

The bill was read the second time. On motion of Mr. Chandler, Second Substitute House Bill No. 788 was substituted for Engrossed Substitute House Bill No. 788, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 788 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

Mr. Brown demanded an oral roll call and the demand was sustained.

Representatives Grimm, Rinehart and Warnke spoke against passage of the bill, and Mr. Nelson (G) spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 788, and the bill passed the House by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Bender, Bond, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Second Substitute House Bill No. 788, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. O'Brien, Engrossed Substitute House Bill No. 811 and Second Substitute House Bill No. 788 were ordered immediately transmitted to the Senate.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Monday, November 23, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, November 23, 1981.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Winsley, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joel Veit and Thea Reed. Prayer was offered by The Reverend Paul Beeman of the First United Methodist Church of Olympia.

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

FIRST READING

SENATE CONCURRENT RESOLUTION NO. 126, by Senators Quigg, Talley, Hemstad, Zimmerman and Gallagher:

Establishing a select committee on Mt. St. Helens disaster relief.

The resolution was read the first time. On motion of Mr. Nelson (G), the rules were suspended, and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Senate Concurrent Resolution No. 126 was adopted.

SENATE AMENDMENTS TO HOUSE BILL

November 19, 1981

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 485 with the following amendments:

On page 3, line 9 after "November" strike "30" and insert "1"

On page 3, line 25 after "November" strike "30" and insert "1"

On page 4, line 16 after "November" strike "30" and insert "1"

On page 5, line 34 after "November" strike "30" and insert "1"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Greengo moved that the House do not concur in the Senate amendments to Substitute House Bill No. 485 and ask the Senate to recede therefrom.

Representatives Greengo, Chamberlain and Rinehart spoke in favor of the motion, and it was carried.

The Speaker called on Mr. Amen to preside.

SENATE AMENDMENT TO HOUSE BILL

November 20, 1981

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 773 with the following amendment:

On page 2, beginning on line 1 strike all matter down through line 31 and insert the following:

(1) The ~~((commissioner of public lands))~~ department shall deposit daily all moneys and fees collected or received by ~~((him))~~ the commissioner of public lands and the department of natural resources in the discharge of ~~((his))~~ official duties~~((including all moneys and fees which remain in his custody and control awaiting disposition under the provisions of the land laws, or the action of the department of natural resources. PROVIDED, That all moneys collected or received by him, belonging to the state at the time, or to any department or institution thereof, in payment of principal and interest under outstanding contracts and leases, where no question is raised as to the right of the state to receive payment, shall be paid to the state treasurer daily in the manner provided by law))~~ as follows:

(a) The department shall pay moneys received as advance payments, deposits, and security from successful bidders under RCW 79.01.132 and 79.01.204 to the state treasurer for deposit under subsection

(1)(b) of this section. Moneys received from unsuccessful bidders shall be returned as provided in RCW 79.01.204;

(b) The department shall pay all moneys received on behalf of a trust fund or account to the state treasurer for deposit in the trust fund or account after making the deduction authorized under RCW 76.12.030, 76.12.120, and 79.64.040;

(c) The natural resources deposit fund is hereby created. The state treasurer is the custodian of the fund. All moneys or sums which remain in the custody of the commissioner of public lands awaiting disposition or where the final disposition is not known shall be deposited into the natural resources deposit fund. Disbursement from the fund shall be on the authorization of the commissioner or the commissioner's designee, without necessity of appropriation;

(d) If it is required by law that the department repay moneys disbursed under subsections (1)(a) and (1)(b) of this section the state treasurer shall transfer such moneys, without necessity of appropriation, to the department upon demand by the department from those trusts and accounts originally receiving the moneys.*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 773.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 773 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 773 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 773 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

November 22, 1981

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 780 with the following amendment:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 2, chapter 93, Laws of 1972 ex. sess. as amended by section 8, chapter 292, Laws of 1975 1st ex. sess. and RCW 43.31.832 are each amended to read as follows:

In addition to the sum transferred in RCW 43.31.831, additional funds determined to be surplus funds by the director of the department of commerce and economic development may be transferred from the state ((international)) trade fair fund to the general fund upon the recommendation of the director of the department of commerce and economic development and the state treasurer: PROVIDED, That the director may also elect to expend up to \$1,000,000 of such surplus on the department of commerce and economic development foreign trade related activities, including, but not limited to, promotion of investment pursuant to RCW 43.31.060, tourism pursuant to RCW 43.31.050, and foreign trade pursuant to RCW 43.31.350 through 43.31.370.*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Sanders moved that the House do concur in the Senate amendment to Engrossed House Bill No. 780.

Mr. Sanders spoke in favor of the motion, and Ms. Brekke spoke against it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 780 as amended by the Senate.

Representatives Sanders and Armstrong spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Lux.

Mr. Lux: "Representative Sanders, in committee we discussed this at length, and I voted for it. I understand that we at one time did have an office in the far east, and I just wondered for what reason we closed that office?"

Mr. Sanders: "Representative Lux, I'm not aware of the background history behind the closure or the opening of that office, I'm sorry."

Ms. Rust spoke against passage of the bill.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Scott.

Mr. Scott: "Representative Warnke, Representative Lux asked a question, and I, too, would like to know. I know that you were Chairman of Labor and Economic Development and have a very good knowledge of this whole area. Could you tell me why our foreign office was closed?"

Mr. Warnke: "I can't tell you why the office was closed, but I can tell you some of the background of the office. The money for the office was placed in the budget two years ago; the office was opened; it was in operation for two years and in January this year when the budget was passed in the House and Senate, the money was removed and the office was closed."

Representatives Scott and Hine spoke against passage of the bill, and Representatives Nisbet and Taylor spoke in favor of it.

Ms. Brekke again opposed passage of the bill, and Representatives Barnes and Sanders spoke in favor of it.

Mr. Nelson (G) demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question on the debate of final passage of Engrossed House Bill No. 780 as amended by the Senate, and the demand was not sustained by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Rust, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative Winsley.

Debate continued, Representatives Ehlers, Brown and Nelson (D) speaking against passage of the bill, and Representatives Eberle, Pruitt, Teutsch, King (J) and Williams speaking in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 780 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 22; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan,

Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Granlund, Gruger, Hine, King R., Nelson D., North, Pruitt, Rinehart, Rust, Scott, Sherman, Valle.

Not voting: Representative Winsley.

Engrossed House Bill No. 780 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 763, by Select Committee on Deregulation and Productivity (originally sponsored by Select Committee on Deregulation and Productivity and Representative Williams):

Revising public employment laws.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 8th Day, 2nd ex. sess., November 16, 1981.)

The Speaker (Mr. Amen presiding) stated the question before the House to be reconsideration of the amendment by Representative Garson and others.

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

Mr. Williams moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

- (1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;
- (2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;
- (3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;
- (4) The officers of the Washington state patrol;
- (5) Elective officers of the state;
- (6) The chief executive officer of each agency;
- (7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;
- (8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:
 - (a) All members of such boards, commissions, or committees;
 - (b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;
 - (c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;
 - (d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;
- (9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;
- (10) Assistant attorneys general;
- (11) Commissioned and enlisted personnel in the military service of the state;
- (12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;
- (13) The public printer or to any employees of or positions in the state printing plant;
- (14) Officers and employees of the Washington state fruit commission;

- (15) Officers and employees of the Washington state apple advertising commission;
- (16) Officers and employees of the Washington state dairy products commission;
- (17) Officers and employees of the Washington tree fruit research commission;
- (18) Officers and employees of the Washington state beef commission;
- (19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;
- (20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);
- (21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);
- (22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08-.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;
- (23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;
- (24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights within four years of the exemption: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position.

Sec. 2. Section 10, chapter 1, Laws of 1961 and RCW 41.06.100 are each amended to read as follows:

Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position ((at the conclusion of such temporary)) within four years from the date of appointment.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ((said)) the merit system director ((shall be)) is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations(;;). The names on such list shall be those of the three standing highest upon competitive examination conducted by a committee of three persons ((which shall be)) appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management ((shall be)) are eligible to take such examination.

(3) The director of personnel ((shall be)) is removable for cause by the governor with the approval of a majority of the board or by a majority of the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations

approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 4. Section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and RCW 41.06.150 are each amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter, as now or hereafter amended, and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The reduction, dismissal, suspension, or demotion of an employee;
- (2) Certification of names for vacancies, including departmental promotions, with the number of names equal to ~~((two))~~ five more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Appointments, with preference given to promotional candidates;
- (5) Training and career development;
- (6) Probationary periods of ~~((six))~~ up to twelve months and rejections therein, depending on the job requirements of the class;
- (7) Transfers;
- (8) Sick leaves and vacations;
- (9) Hours of work;
- (10) Layoffs when necessary and subsequent reemployment, both according to seniority;
- (11) Determination of appropriate bargaining units within any agency: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;
- (12) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment ~~((shall))~~ constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ is satisfied by the payment of monthly or other periodic dues and ~~((shall))~~ does not require payment of initiation, reinstatement, or any other fees or fines and ~~((shall))~~ includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ~~((shall be))~~ is entitled to all the representation rights of a union member;
- (13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;
- (14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein ~~((shall))~~ permits or grants to any employee the right to strike or refuse to perform his official duties;
- (15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;
- (16) Allocation and reallocation of positions within the classification plan;
- (17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;
- (18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service;

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month;

(20) Permitting agency heads to delegate the authority to appoint, reduce, dismiss, suspend, or demote employees within their agencies if such agency heads do not have specific statutory authority to so delegate: PROVIDED, That the board may not authorize such delegation to any position lower than the head of a major subdivision of the agency.

Sec. 5. Section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169 are each amended to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section shall apply to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 41.06.169 and such evaluation was satisfactory. This section shall apply to any form of salary increase, but shall not include fringe benefits.

NEW SECTION. Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any state agency, the state maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential for their health and well-being, as well as maintain those positions maintaining the facilities and properties of the state.

(2) In furtherance of this policy, each agency head shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the state.

(4) Whenever a reduction or layoff in workforce is required, each agency head shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each agency head shall also prepare a detailed organizational chart indicating all agency positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each agency; (b) the organizational chart of each agency; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

NEW SECTION. Sec. 8. There is added to chapter 28B.16 RCW a new section to read as follows:

The salary and fringe benefits of all exempt positions, except for the presidents, vice presidents and academic personnel under RCW 28B.16.040(1), part-time professional consultants under RCW 28B.16.040(2), and the director under RCW 28B.16.040(3), shall be determined by the higher education personnel board.

Sec. 9. Section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105 are each amended to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used

by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section applies to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 10. There is added to chapter 28B.16 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 28B.16.105 and such evaluation was satisfactory. This section shall apply to any form of salary increase, but shall not include fringe benefits.

Sec. 11. Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050 are each amended to read as follows:

Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position, ~~((at the conclusion of such temporary appointment))~~ within four years from the date of appointment to the exempt position.

Sec. 12. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;
- (2) Certification of names for vacancies, including promotions, with the number of names equal to ~~((two))~~ five more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examination for all positions in the competitive and noncompetitive service;
- (4) Appointments, with preference given to promotional candidates;
- (5) Probationary periods of ~~((six))~~ up to twelve months and rejections therein, depending on the job requirements of the class;

(6) Transfers;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment, both according to seniority;

(10) Determination of appropriate bargaining units within any institution or related boards: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon ~~((said))~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment ~~((staff))~~ (staff) constitutes cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause, membership in the certified exclusive bargaining representative ~~((shall be))~~ (is) satisfied by the payment of monthly or other periodic dues and ~~((staff))~~ (staff) does not require payment of initiation, reinstatement, or any other fees or fines and ~~((staff))~~ (staff) includes full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ~~((shall be))~~ (is) entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: **PROVIDED**, That nothing contained herein ~~((staff))~~ (staff) permits or grants to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature (~~and which shall be competitive in the state or the locality in which the institution or related boards are located~~), such adoption, revision, and implementation subject to approval as to availability of funds by the director of financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 13. Section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101 are each amended to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (1) Appointment, promotion, and transfer of employees;
- (2) Dismissal, suspension, or demotion of an employee;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Probationary periods of (~~six~~) up to twelve months and rejections therein;
- (5) Sick leaves and vacations;
- (6) Hours of work;
- (7) Layoffs when necessary and subsequent reemployment;
- (8) Allocation and reallocation of positions within the classification plans;
- (9) Training programs; and
- (10) Maintenance of personnel records.

NEW SECTION. Sec. 14. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any institution of higher education or related board, the institution of higher education or related board maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential, as well as maintain those positions maintaining the facilities and properties of the institution of higher education.

(2) In furtherance of this policy, each head of an institution of higher education or related board shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the institutions of higher education.

(4) Whenever a reduction or layoff in workforce is required, each head of an institution of higher education or related board shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each head of an institution of higher education or related board shall also prepare a detailed organizational chart indicating all positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each institution of higher education or related board; (b) the organizational chart of each institution of higher education or related board; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing

indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

NEW SECTION. Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On motion of Mr. Garson, the following amendments by Representatives Garson, Vander Stoep, Kreidler and Rosbach to the Williams amendment were adopted:

On page 10, line 4 strike "five" and insert "four"

On page 22, line 10 strike "five" and insert "four"

On page 22, line 19 after "candidates" insert "and with provisions for inter-institutional mobility"

On page 22, line 24 after "Transfers" insert "with provision for inter-institutional mobility"

On page 30 after section 14 insert the following new sections to read as follows:

"Sec. 15. Section 12, chapter 311, Laws of 1981 and RCW 41.64.110 are each amended to read as follows:

Hearings on such appeals shall be open to the public, except for cases in which the board determines there is substantial reason for not having an open hearing or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his or her appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses, and give evidence before the board. Members of the board or the executive secretary may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the board. The board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and, if the evidence warrants, punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it may not be required to transcribe such record unless requested by the employee. If requested, the board shall furnish a complete transcript upon payment of a reasonable charge therefor. The employee (~~shall be reimbursed by the employing agency for the cost of a transcript used on appeal if the employee prevails before the court~~) shall be furnished with a complete transcript upon payment of a reasonable charge therefor, except for transcripts certified to the superior court on appeal as provided in RCW 41.64.130(3) (section 14(3), chapter 311, Laws of 1981). Payment of the cost of a transcript used on appeal shall await determination of the appeal and shall be made by the employing agency if the employee prevails.

NEW SECTION. Sec. 16. There is added to chapter 41.06 a new section to read as follows:

No person who voluntarily terminates his employment relationship with a state agency shall thereafter have any preference to a reappointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

NEW SECTION. Sec. 17. There is added to chapter 28B.16 RCW a new section to read as follows:

No person who voluntarily terminates his employment relationship with an institution of higher education shall thereafter have any preference to reappointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

Renumber the remaining sections consecutively.

Mr. Williams moved adoption of the following amendment to the title:

On page 1, line 1 of the title after "employment;" strike the remainder of the title and insert "amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070; amending section 10, chapter 1, Laws of 1961 and RCW 41.06.100; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; amending section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and RCW 41.06.150; amending section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169; amending section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105; amending section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100; amending section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101; adding new sections to chapter 28B.16 RCW; and adding new sections to chapter 41.06 RCW."

On motion of Mr. Garson, the following amendment to the title amendment was adopted:

On page 31, line 12 of the title after the semicolon, insert "amending section 12, chapter 311, Laws of 1981 and RCW 41.64.110;"

The title amendment as amended was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Garson yielded to question by Mr. Kreidler.

Mr. Kreidler: "Is it the intent of the language on page 10, line 11 and page 22, line 17, which says, 'Appointments with preference given to professional candidates...' to insure that all applicants to jobs under the state personnel board and higher education personnel board shall be placed on a rank register and that promotional candidates shall be given preference over others except employees who are in a lay-off situation and veterans who qualify?"

Mr. Garson: "That is correct."

Mr. Kreidler: "Regarding the modifications of the current six-month probationary period to allow a probationary period of up to twelve months, it is my understanding that it is the intent to limit any extension beyond six months to executive, management and mini-freeze type employees. Is that right?"

Mr. Garson: "Or the highly technical, also. That is correct."

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

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Williams, you heard the question and answer between Representative Kreidler and Representative Garson. Would you care to respond to Representative Kreidler's question?"

Mr. Williams: "I guess this now is the only area we are not in agreement on. Specifically, we discussed this at great length. We do not intend that the only people to be considered for the register are appointments. That was the hang-up; that's why the language is in here. The intent of the agreed on compromise which is in the language is that we give preference. As we discussed late last night and reviewed with the state personnel director, in most cases it will be promotional opportunity, but there are some cases where we must reach outside to get a better qualified employee. Those are a minority of the cases; they are normally known for each class and event and that's why we couldn't agree on the suggestion made by Representative Garson."

Representatives Kreidler and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 763, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 763, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

COMMITTEE APPOINTMENTS

In accordance with the provisions of Senate Concurrent Resolution No. 126, the Speaker appointed Representatives Chamberlain, Heck, Rosbach, Thompson and Williams as members of the Select Committee on Mt. St. Helens Disaster Relief.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Tuesday, November 24, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SIXTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, November 24, 1981.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Josh Meisler and Tina Nelson. Prayer was offered by Father Tom Fowler of Saint Barnabas Episcopal Church of Bainbridge Island.

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

MESSAGE FROM THE SENATE

November 23, 1981

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 126,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 773,

SENATE CONCURRENT RESOLUTION NO. 126.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 814, by Committee on Revenue and Representatives Greengo, Sommers, Rosbach, Thompson, Bickham, Galloway, Granlund, Heck and King (J):

AN ACT Relating to oil and gas taxation; amending section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100; adding a new chapter to Title 82 RCW; and prescribing penalties.

To Committee on Revenue

REPORT OF STANDING COMMITTEE

November 23, 1981

HOUSE BILL NO. 813, Prime Sponsor: Committee on Ways and Means, appropriating funds for tourist promotion. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9 strike "tourist promotion." and insert "tourism promotion and the sum of five hundred thousand dollars, or so much thereof as may be necessary, for the purpose of industrial promotion."

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Thompson, Williams.

Not attending: Representatives Sommers, Ranking Minority Member; Becker, Warnke.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and House Bill No. 813 was placed on today's second reading calendar.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

SENATE AMENDMENTS TO HOUSE BILL

November 22, 1981

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 557 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. There is added to chapter 74.09 RCW a new section to read as follows:

A person is ineligible for medical assistance or the limited casualty program for the medically needy for a period determined under section 2 of this act if the person knowingly and wilfully assigns or transfers cash or other resources at less than fair market value after the effective date of this act for the purpose of qualifying or continuing to qualify for such medical care within two years preceding the date of application for such care: PROVIDED, That for the purpose of qualifying for such care and notwithstanding the provisions of chapter 26.16 RCW, this section shall not prohibit the voluntary transfer or assignment between spouses.

NEW SECTION. Sec. 2. There is added to chapter 74.09 RCW a new section to read as follows:

(1) If the uncompensated fair market value of the resources assigned or transferred is:

(a) Twelve thousand dollars or less, the period of ineligibility shall be prorated up to twelve months from the date of transfer;

(b) More than twelve thousand dollars but less than thirty thousand dollars, the period of ineligibility shall be prorated up to twenty-four months;

(c) More than thirty thousand dollars but less than fifty thousand dollars, the period of ineligibility shall be prorated up to thirty-six months;

(d) More than fifty thousand dollars, the period of ineligibility shall be forty-eight months.

(2) The department may waive a period of ineligibility if the department determines that the application of the period of ineligibility will cause undue hardship.

NEW SECTION. Sec. 3. There is added to chapter 74.09 RCW a new section to read as follows:

The department, by rule, shall adopt procedures to provide due process for applicants or recipients found not to qualify for medical assistance or the limited casualty program for the medically needy. At any hearing the department shall prove by a preponderance of the evidence that the person knowingly and wilfully assigned or transferred cash or other resources at less than fair market value for the purpose of qualifying or continuing to qualify for the benefits or care. If the prevailing party in such an action is the person, the person shall be awarded reasonable attorney fees.

NEW SECTION. Sec. 4. There is added to chapter 74.09 RCW a new section to read as follows:

(1) Any person who knowingly and wilfully receives cash or resources transferred or assigned for less than fair market value after the effective date of this act to enable an applicant or recipient to qualify for assistance under RCW 74.09.510 or 74.09.700 is guilty of a gross misdemeanor.

(2) Any person who knowingly and wilfully receives cash or resources transferred or assigned for less than fair market value is liable for a civil penalty equal to the uncompensated value of the cash or resources transferred or assigned at less than fair market value. The civil penalty shall not exceed the cost of assistance rendered by the department to an applicant or recipient. The person may rebut the presumption that the transfer or assignment was made for the purpose of enabling the applicant or recipient to qualify or continue to qualify for assistance. The prevailing party in such an action shall be awarded reasonable attorney fees.

(3) Any moneys collected under this section shall be deposited in the revolving fund which is hereby created. This revolving fund shall consist of all fees collected under this section and any moneys appropriated to it by law. The state treasurer shall be the custodian of the revolving fund. Disbursements from the revolving fund shall be on authorization of the secretary or the secretary's designee. In order to maintain an effective expenditure and revenue control, the revolving fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

Sec. 5. Section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 20, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.510 are each amended to read as follows:

Medical assistance may be provided in accordance with eligibility requirements established by the department of social and health services, including the prohibition under sections 1 through 3 of this 1981-'82 act against the (voluntary) knowing and wilful assignment of property or cash for the purpose of qualifying for ((am)) such assistance ((grant)), as defined in the social security Title XIX state plan for mandatory categorically needy persons and: (1) Individuals who would be eligible for cash assistance except for their institutional status; (2) individuals who are under twenty-one years of age, who would be eligible for aid to families with dependent children; but do not qualify as dependent children and who are in (a) foster care, (b) subsidized adoption, (c) an intermediate care facility or an intermediate care facility for the mentally retarded, or (d) inpatient psychiatric facilities; ((am)) (3) the aged, blind, and disabled who: (a) Receive only a state supplement, or (b) would not be eligible for cash assistance if they were not institutionally; (4) individuals who would be eligible for but choose not to receive cash assistance; and (5) pregnant women who would be eligible for aid to families with dependent children if the child had been born and was living with the mother during the month of the payment, and the pregnancy has been medically verified.

Sec. 6. Section 22, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.700 are each amended to read as follows:

(1) To the extent of available funds, medical care may be provided under the limited casualty program to persons not otherwise eligible for medical assistance or medical care services who are medically needy as

defined in the social security Title XIX state plan and medical indigents in accordance with medical eligibility requirements established by the department. This includes residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are aged, blind, or disabled as defined in Title XVI of the federal social security act and whose income exceeds three hundred percent of the federal supplement security income benefit level.

(2) Determination of the amount, scope, and duration of medical coverage under the limited casualty program shall be the responsibility of the department, subject to the following:

(a) Only inpatient hospital services; outpatient hospital and rural health clinic services; physicians' and clinic services; prescribed drugs, dentures, prosthetic devices, and eyeglasses; skilled nursing home services, intermediate care facility services, and intermediate care facility services for the mentally retarded; home health services; other laboratory and x-ray services; and medically necessary transportation shall be covered;

(b) A patient deductible not to exceed one-half the payment the department makes for the first day's stay for inpatient hospital care, shall be included for the medically needy component of the program;

(c) Persons who are medically indigent and are not eligible for a federal aid program shall satisfy a deductible of not less than one thousand five hundred dollars in any twelve-month period;

(d) Medical care services provided to the medically indigent and received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment.

(3) The department shall establish standards of assistance and resource and income exemptions. All nonexempt income and resources of limited casualty program recipients shall be applied against the cost of their medical care services. In addition, the department (~~(may)~~) shall include a prohibition against the (~~(voluntary)~~) knowing and willful assignment of property or cash for the purpose of qualifying for assistance under sections 1 through 3 of this 1981-'82 act.

~~((4) The department shall, to the maximum extent possible, recover the cost of medical care provided under this section from future income and resources. Future income and resources shall be limited to those available up to twenty-four months following the provision of care.))~~

NEW SECTION. Sec. 7. There is added to chapter 74.09 RCW a new section to read as follows:

If any part of this chapter is found to conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this chapter.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "care;" strike the remainder of the title and insert "amending section 4, chapter 30, Laws of 1967 ex. sess. as last amended by section 20, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.510; amending section 22, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.700; adding new sections to chapter 74.09 RCW; prescribing penalties; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Mitchell moved that the House do concur in the Senate amendments to Second Substitute House Bill No. 557.

Representatives Mitchell and Kreidler spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 557 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 557 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers,

Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Gallagher.

Second Substitute House Bill No. 557 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

November 23, 1981

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 760 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. There is added to chapter 18.51 RCW a new section to read as follows:

If any part of this chapter is found to conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this chapter.

Sec. 2. Section 6, chapter 117, Laws of 1951 as last amended by section 17, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.050 are each amended to read as follows:

Upon receipt of an application for license, the department shall issue a license if the applicant and the nursing home facilities meet the requirements established under this chapter. Prior to the issuance or renewal of the license, the licensee shall pay a license fee ~~((of one hundred dollars plus two dollars per bed per year))~~ as established by the department. No fee shall be required of government operated institutions. All licenses issued under the provisions of this chapter shall expire on a date to be set by the department, but no license issued pursuant to this chapter shall exceed ~~((twelve))~~ thirty-six months in duration ~~((PROVIDED, That when the annual license renewal date of a previously licensed nursing home is set by the department on a date less than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license))~~. When a change of ownership occurs, the entity becoming the licensed operating entity of the facility shall pay ~~((the full licensing))~~ a fee ~~((for the facility))~~ established by the department at the time of application for the license. The previously determined date of license expiration shall not change.

All applications and fees for renewal of the license and for change of ownership licenses shall be submitted to the department not later than thirty days prior to the date of expiration of the license or the date of the proposed change of ownership. Each license shall be issued only to the operating entity and those persons named in the license application. The license is valid only for the operation of the facility at the location specified in the license application. Licenses are not transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

Sec. 3. Section 63, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.091 are each amended to read as follows:

The department shall make or cause to be made at least ~~((a yearly))~~ one inspection of ~~((the))~~ each nursing home(s) prior to license renewal. Every inspection may include an inspection of every part of the premises and an examination of all records, methods of administration, the general and special dietary and the stores and methods of supply. Following such inspection or inspections, written notice of any violation of this law or the rules and regulations promulgated hereunder, shall be given the applicant or licensee and the department. The notice shall describe the reasons for the facility's non-compliance. The notice shall inform the facility that it must comply with a plan of correction within a specified time, not to exceed sixty days from the date the plan of correction is approved by the department. The penalties in RCW 18.51.060 may be imposed if, after the specified period, the department determines that the facility has not complied. In life-threatening situations or situations which substantially limit the provider's capacity to render adequate care, the department may require immediate correction or proceed immediately under RCW 18.51.060. The department may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit its plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Sec. 4. Section 10, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.230 are each amended to read as follows:

The department shall, in addition to any inspections conducted pursuant to complaints filed pursuant to RCW 18.51.190, conduct at least one general inspection ~~((each year))~~ prior to license renewal of all nursing homes in the state without providing advance notice of such inspection. ~~((At least one))~~ Periodically, such inspection ~~((in any three year period))~~ shall take place in part between the hours of 7 p.m. and 5 a.m. or on weekends.

Sec. 5. Section 1, chapter 244, Laws of 1977 ex. sess. as last amended by section 12, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.310 are each amended to read as follows:

~~(1) (No later than December 31, 1980,) Within thirty days of admission, the department shall evaluate, through review and assessment, the comprehensive plan of care for each resident supported by the department under RCW 74.09.120 as now or hereafter amended.~~

~~(2) The department shall review the comprehensive plan of care for such resident at least annually or upon any change in the resident's classification.~~

~~(3) Based upon the assessment of the resident's needs, the department shall assign such resident to a classification. Developmentally disabled residents shall be classified under a separate system.~~

~~(4) The nursing home shall submit any request to modify a resident's classification to the department for the department's approval. The approval shall not be given until the department has reviewed the resident.~~

~~(5) The department shall adopt ((revised licensing standards for nursing homes. The)) licensing standards ((shall be)) suitable for implementing the civil penalty system authorized under this chapter((chapter 74.42 RCW;)) and chapter 74.46 RCW.~~

~~((2) The department, the board of health, the school of medicine, the University of Washington, and the schools of nursing within the state shall jointly submit to the legislature, not later than December 20, 1980, alternative methods of identifying and measuring the results of services delivered by the nursing home.~~

~~((3)) (6) No later than July 1, 1981, the department shall adopt all those regulations which meet all conditions necessary to fully implement the civil penalty system authorized by this chapter, chapter 74.42 RCW, and chapter 74.46 RCW.~~

Sec. 6. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 11, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or 'fee for service.' The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which comply with RCW 74.09.610. The regulations shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall develop rules for reasonable accounting and reimbursement systems for such care and report such rules to the next regular session of the legislature for review prior to implementation. Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally retarded individuals or persons with related conditions and includes in the program "active treatment" as federally defined.

Sec. 7. Section 4, chapter 260, Laws of 1977 ex. sess. as amended by section 2, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.580 are each amended to read as follows:

The nursing home payment system under this chapter shall provide for individually-based or class-based rates which shall be the maximum reimbursement for each nursing home for the period for which the rates are assigned.

(1)(a) Beginning with the settlements for calendar year 1981, the nursing home shall submit a preliminary settlement report simultaneously with the annual cost report.

(b) Within ninety days after receipt of the reports by the secretary, the department shall submit a proposed settlement report by cost center to the nursing home which fully substantiates disallowed costs, refunds, underpayments, and/or adjustments to the preliminary settlement report.

(c) The proposed settlement shall provide the basis for a schedule to correct overpayments and underpayments.

(2) (a) The department shall calculate a settlement for the 1980 cost reporting period by comparing the rate paid to a contractor with that contractor's reported allowable costs. Refunds due the department based upon overpayments made to nursing home contractors from January 1, 1980, through December 31, 1980, indicated by this settlement shall be due and payable in full within thirty days after written notice is received from the department.

(b) Where deemed appropriate by the department, repayment may be made according to a schedule determined by the department.

(c) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection (2)(c) shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(d) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(c) Nothing in this subsection shall prejudice the rights of contractors or the department regarding audit adjustments and/or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

(3) Operators of nursing homes shall refund all portions of payments received which exceed actual audited costs and all portions of payments received which are attributable to unreasonable or nonallowable costs as determined by federal or state regulations.

Sec. 8. Section 1, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.610 are each amended to read as follows:

(1) The nursing home auditing and cost reimbursement system of the department of social and health services shall be governed by this section until implementation of chapter 74.46 RCW. The department shall reimburse nursing homes on the basis of the following cost centers: Patient care, food, administration and operations, and property.

(2) (a) For rate setting purposes for fiscal year 1982, the department shall reimburse the patient care cost center at the January 1, 1981, reimbursement rate, as adjusted for inflation.

~~((b))~~ (b) For rate setting purposes in fiscal year 1983, this subsection (2)(b) applies.

(i) There shall be established by the department a redistribution pool consisting of overpayments to contractors for 1981 indicated by proposed settlements for 1981, less one million dollars.

(ii) If a contractor's patient care cost center rate for 1981 is greater than or equal to the contractor's desk reviewed 1981 patient care costs, the department shall reimburse the patient care cost center at the desk reviewed 1981 patient care costs plus any patient care funds shifted to other cost centers pursuant to subsection (8) of this section, as adjusted for inflation.

(iii) If the contractor's 1981 patient care cost center rate is less than the contractor's desk reviewed 1981 patient care costs, the department shall reimburse the contractor's patient care cost at the January 1, 1982, reimbursement rate less one and one half percent, as adjusted for inflation, plus an allowance from the redistribution pool. The allowance for a contractor shall not exceed the contractor's patient care costs, as adjusted for inflation, and the total of allowances distributed shall not exceed the redistribution pool under subsection (2)(b)(i) of this section. If the funds contained in the redistribution pool exceed or are equal to the total amount by which contractors were underfunded in the patient care cost center, each contractor's allowance will be equal to the amount by which the contractor was underfunded. If the funds contained in the redistribution pool are less than the total amount by which contractors were underfunded in the patient care cost center, each contractor will receive an allowance which shall be a percentage of the amount by which the contractor was underfunded. The percentage shall be determined by dividing the amount of the pool by the total amount of underfunding.

(c) In addition, the reimbursement shall be enhanced by three million dollars for the first year of the biennium and by ~~((five))~~ one million four hundred thousand dollars for the second year of the biennium. These enhancements shall be apportioned among the nursing homes proportionately based on the patient care cost center for each nursing home.

~~((b))~~ (d) For the purpose of nursing assistant certification, the department shall reimburse at a rate of thirty cents for each medicaid patient day for the first year of the biennium ~~((and at a rate of thirty-three cents, as adjusted for inflation, for each medicaid patient day for the second year of the biennium))~~. This is in addition to the January 1, 1981, reimbursement rate.

(e) Effective July 1, 1982, the patient care cost center reimbursement rate shall be adjusted as follows:

(i) As used in (ii) of this subsection, patient care consultation refers to medical director, patient activities, physical therapy, speech therapy, occupational therapy, and other therapy consultation.

(ii) The department shall determine the average expense weighted by patient days for patient care consultation taken from the most recently completed cost reports.

In determining the patient care cost to be used for rate setting pursuant to subsections (2)(b)(ii) and (iii) of this section, the department shall not include any cost in excess of the average cost determined under (ii) of this subsection.

(3) Reimbursement for the food cost center shall be at the January 1, 1981, reimbursement rate, adjusted for inflation.

(4) The administration and operations cost center consists of two components:

(a) (i) For rate setting purposes for fiscal year 1982, the wages for all employees, other than nursing service personnel and administrators and assistant administrators, shall be reimbursed at the January 1, 1981, rate as adjusted for inflation.

(ii) For rate setting purposes for fiscal year 1983:

(A) If the contractor's administration and operations wage component rate for 1981 is greater than or equal to the contractor's desk reviewed 1981 administration and operations wage costs, the department shall reimburse the contractor's administration and operations wage component at the desk reviewed 1981 administration and operations wage component costs as adjusted for inflation.

(B) If the contractor's administration and operations wage component rate for 1981 is less than the contractor's desk reviewed 1981 administration and operations wage costs, the department shall reimburse the contractor's administration and operations wage component at the January 1, 1981, reimbursement rate as adjusted for inflation, except that, after distribution of the redistribution pool to contractors underfunded

in the patient care cost center pursuant to subsection (2)(b)(iii) of this section, any funds remaining will be distributed to contractors with rates below cost in proportion to the underfunding in this component. This distribution shall not exceed the total of underfunded cost in this component.

(b) Reimbursement for administration and operations, including all items not specified in subsections (2), (3), (4)(a), (5), and (6) of this section, shall not exceed the eighty-fifth percentile of the costs of all reporting facilities, not including any funds shifted pursuant to subsection (8) of this section, as adjusted for inflation, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations. Effective July 1, 1982, the administration and operations cost center reimbursement rate shall be adjusted as follows:

(i) As used in (ii) and (iii) of this subsection, administration and operations consultation expense refers to dietary and medical record consultant fees.

(ii) The department shall determine the average expense weighted by patient days for administration and operations consultation expense taken from the most recent completed cost report.

(iii) Reimbursement for administration and operations consultation shall be the lesser of the average expense as determined under (ii) of this subsection or the individual facility's costs for administration and operations consultation expenses taken from the most recent completed cost report, as adjusted for inflation. This adjustment applies only to the July 1, 1982, through July 1, 1983, reimbursement period.

(5) The return on net invested equity for each facility shall be determined by utilizing medicare rules and regulations.

(6) Property cost center reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities other than those operating as intermediate care facilities for the mentally retarded, and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, or July 1, 1979, whichever is higher, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state medicaid plan, and adjusted for any approved capitalized additions or replacements, except that any leased facility which has operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, shall be reimbursed to the extent that the property costs exceed the upper limit of the multiple regression formula.

(7) The patient personal needs allowance limitation shall be thirty-three dollars and fifty cents.

(8) For settlement purposes only, for calendar years 1981, 1982, and 1983, a nursing home may shift among cost centers an amount not greater than twenty percent of the reimbursement rate of the cost center into which the shift is being made. Shifts may be made among the cost centers. However, shifts may not be made into the property cost center. The department shall monitor on a random basis the extent and patterns of shifting between cost centers authorized by this section. The department shall report to the legislature on its findings required by this section prior to ~~(February)~~ July 15th of each year.

(9) Audits shall be conducted by the department and settlements shall be calculated by cost center only.

(10) The department may adjust reimbursement rates to reflect required increases in staffing levels and capital improvements.

(11) Any reference in this section to a January 1, 1981, reimbursement rate includes any adjustment resulting from a rate appeal and its final resolution, but shall not include any adjustment resulting from litigation on reimbursement rates prior to June 30, 1981, or the procedures by which they were established.

(12) References in this section to adjustments for inflation mean adjustments of 5.0 percent for rates effective July 1, 1981, through December 31, 1981; ~~((5:2))~~ 4.25 percent for rates effective January 1, 1982, through June 30, 1982; ~~((4:35))~~ 3.25 percent for rates effective July 1, 1982, through December 31, 1982; and ~~((4:35))~~ 3.25 percent for rates effective January 1, 1983, through June 30, 1983.

NEW SECTION. Sec. 9. Section 7, chapter 114, Laws of 1979 and RCW 18.52A.070 are each repealed.

NEW SECTION. Sec. 10. Sections 2, 3, 4, 6, and 7 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the Title, after "nursing homes;" strike the remainder of the Title and insert "amending section 6, chapter 117, Laws of 1951 as last amended by section 17, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.050; amending section 63, chapter 211, Laws of 1979 ex. sess. and RCW 18.51-.091; amending section 10, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.230; amending section 1, chapter 244, Laws of 1977 ex. sess. as last amended by section 12, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.310; amending section 1, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.610; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 11, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.120; amending section 4, chapter 260, Laws of 1977 ex. sess. as amended by section 2, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.580; adding a new section to chapter 18.51 RCW; repealing section 7, chapter 114, Laws of 1979 and RCW 18.52A.070; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nisbet, the House refused to concur in the Senate amendments to Substitute House Bill No. 760, and asked the Senate to recede therefrom.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 780.

The Speaker called on Mr. Amen to preside.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-93, by Representatives Martinis, Nisbet, Owen, Gallagher, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley.

WHEREAS, Phil Sutherland was known as a determined man when representing his point of view and that of the Puget Sound Gillnetters before the Legislature, executive agencies and the courts; and

WHEREAS, Phil Sutherland was a compassionate man, professionally and personally, whose humor and independence were well respected by those who knew and worked with him inside and outside of government; and

WHEREAS, Phil Sutherland shared his life with his family, his friends, and his fellow fishermen, and yet took the time to spend many hours working with the youth in their development of confidence and self-respect; and

WHEREAS, Phil Sutherland showed those youth, his family and others how important it is to have self-respect and confidence in dealing with government and in sticking to one's principles; and

WHEREAS, Phil Sutherland, while pursuing his livelihood as a fisherman, as he had for over thirty years, lost his life at sea on Tuesday, November 3, 1981;

NOW, THEREFORE, BE IT RESOLVED, By the members and staff of the Washington State House of Representatives, That our sincere condolences are given to Mrs. Loreen Sutherland, the Sutherland children, and other family members for their loss; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is hereby directed to forward a certified copy of this resolution to Mrs. Sutherland as a gesture of the loss which is also felt within the halls of the Legislature.

Representatives Martinis and Nisbet spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 813, by Committee on Ways and Means and Representative Chandler:

Appropriating funds for tourist promotion.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see today's Report of Standing Committee.)

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

Ms. Brekke moved adoption of the following amendments by Representatives Brekke, Nelson (D) and Kaiser:

On page 1, line 7 after "sum of" strike "four million five hundred thousand" and insert "two million two hundred fifty thousand"

On page 1, line 9 after "promotion" insert ": PROVIDED, That the sum appropriated from the general fund shall be matched by private contributions to be raised by the director of the department of commerce and economic development from those industries which benefit from the promotion of tourism"

Representatives Brekke, Kaiser, Nelson (D) and Lux spoke in favor of the amendments, and Representatives Chandler, Sanders, Nisbet, Schmidt, Tilly, Teutsch, Hastings and Ellis spoke against them.

Ms. Brekke spoke again in favor of the amendments.

The amendments were not adopted.

House Bill No. 813 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 808, by Representatives Nisbet, Owen, Houchen and Struthers (by Executive request):

Providing for a 500-man medium security correction center.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 808 was substituted for House Bill No. 808, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 808 was read the second time.

Mr. Scott moved adoption of the following amendment by Representatives Scott, Becker, Kaiser and Pruitt:

On page 1, beginning on line 23 strike the remainder of the bill and insert the following:

"Sec. 2. Section 1, chapter 234, Laws of 1981 and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred nineteen million ((eight)) hundred six twelve thousand nine hundred dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due.

Sec. 3. Section 7, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ((SOCIAL AND HEALTH SERVICES FOR ADULT))
CORRECTIONS

((The appropriations contained in this section shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature.))

(1) Construct and equip a 100-man honor camp.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		100,000	
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/83 and	Costs	Date
6/30/81	Thereafter		
3,207,259		3,307,259	9/81

(2) Construct and equip a 120-man housing unit at the Washington Corrections Center.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		500,000	
Project	Estimated	Estimated	Estimated
Costs	Costs	Total	Completion
Through	7/1/83 and	Costs	Date
6/30/81	Thereafter		
2,927,000		3,427,000	9/81

(3) Convert 300-bed minimum security building to medium security at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,275,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,153,000		5,428,000	12/81

(4) Construct and equip maximum security facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
11,054,000		12,054,000	6/82

(5) Renovate and expand visiting, dining, and recreation facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
524,000		1,524,000	2/82

(6) ((Construct a 500-man medium security corrections center on the grounds of the Washington State Reformatory:)) Expand prison capacity in a manner which is timely, fiscally prudent, and consistent with public safety, and make the prison system self-sufficient and a diminishing burden on state resources. No more than \$10,500,000 of this appropriation may be used to renovate the McNeil Island Penitentiary to enable it to have a daily population of five hundred inmates. The department is authorized to spend an additional \$5,000,000 of this appropriation to renovate the honor camp and farm on McNeil Island and to expand the capacity of McNeil Island to house additional medium security prisoners in excess of five hundred by constructing additional residential units within or satellited to the existing penitentiary. The department is authorized to spend no more than \$25,000,000 of this appropriation to construct a 500-man, medium security correctional center in an area of the state which has expressed a significant desire to have such a facility sited therein, and not in or adjacent to a county in which a medium security prison is already located, with first preference given to Clallam-Jefferson counties: PROVIDED, That if the state is unable to acquire the long-term use of McNeil Island for state correctional use, no more than \$2,674,900 of this appropriation may be used to maintain serviceability of the McNeil Island Penitentiary for short-term use by the state and no more than \$25,000,000 may be expended to expand the state medium security prison bed capacity by five hundred beds in the most cost-effective manner possible: PROVIDED FURTHER, That such beds to the degree practicable shall be created by satelliting additional units to the new prison authorized under this subsection and in no case shall any medium security prison be constructed in or adjacent to a county in which such a facility is already located. The department is authorized to expend up to \$7,000,000 of this appropriation to develop institutional industries at existing state prison facilities, including but not limited to the Monroe Reformatory and the Walla Walla Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		4,000,000	((28,433,300)) 48,674,900
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,429,000		((33,862,300)) 52,674,900	9/83

(7) To improve security, facilities, and utilities, Phase II, Washington State Penitentiary: PROVIDED, That if alternative housing arrangements are approved by the special master, \$2,500,000 of this appropriation, which is intended to be used only for the construction of temporary inmate housing, shall be placed in reserve and left unexpended. If construction has not begun by September 15, 1981, all remaining funds not

disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		2,900,000	19,450,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,024,000	5,245,300	30,619,500	6/84

(8) Improve security, facilities, and ventilation at the Washington State Reformatory, Phase I. If construction has not begun by August 15, 1982, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			723,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	8,911,400	9,634,800	12/85

(9) Purchase equipment for institutional industries at the Washington State Penitentiary (81-83), Washington State Reformatory (83-85), and Purdy Treatment Center for Women (83-85).

		Reappropriation	Appropriation
GF, DSHS Constr Acct			500,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	334,300	834,300	6/83

(10) (~~Make repairs and alterations to McNeil Island Penitentiary to maintain serviceability of the institution for short-term use by the state. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the funds unexpended as of June 30, 1981, shall be reappropriated for the 1981-83 biennium. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the GF, CEP & RI Acct appropriation shall be reduced by the amount of the appropriation in House Bill No. 459, but in no case shall the reappropriation plus the appropriation exceed \$2,674,900. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.~~)

		Reappropriation	Appropriation
GF, DSHS Constr Acct			674,900
GF, CEP & RI Acct			2,000,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		2,674,900	6/83

(H)) Repair and expand education building damaged by December 31, 1980, fire at Washington Corrections Center. If construction has not begun by August 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,386,000
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs	Estimated Completion Date

6/30/81

Thereafter

1,386,000

4/82

((+2)) (11) Fire and safety improvements at the Washington State Penitentiary.

			Reappropriation	Appropriation
GF, DSHS Constr Acct			220,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs		Estimated Completion Date
529,000		749,000		9/81

((+3)) (12) Fire and safety improvements at the Washington State Reformatory.

			Reappropriation	Appropriation
GF, DSHS Constr Acct			700,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs		Estimated Completion Date
604,000		1,304,000		9/81

((+4)) (13) To repair and improve utilities and facilities—Omnibus: PROVIDED, That if a department of corrections is not created during the 1981 regular session of the legislature, this appropriation shall be transferred to the budget and fiscal services division of the department of social and health services.

			Reappropriation	Appropriation
GF, DSHS Constr Acct				1,600,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs		Estimated Completion Date
		1,600,000		12/83

((+5)) (14) Complete a ten-year facility plan by December 15, 1981, identifying year-by-year projected population for all institutional and noninstitutional correctional programs including jails; space standards for residential and support service facilities; the capacity of existing facility resources; and the projected demand for additional space based upon these projections, standards, and resources. It is the intent of this appropriation to provide the data to support the need for any additional correctional beds and, if needed, based on this data, to determine feasible locations for new adult corrections facilities and to initiate planning and design for any new facility(s): PROVIDED, That no funds shall be expended for design without this plan being presented to the house and senate ways and means committees.

			Reappropriation	Appropriation
GF, DSHS Constr Acct				1,285,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs		Estimated Completion Date
		1,285,000		8/85*

Representatives Scott, Mitchell, Becker and Salatino spoke in favor of the amendment, and Representatives Nisbet and Struthers spoke against it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Nisbet, I understand the department has presented figures to your committee, and also to the Institutions Committee, the policy committee in this area that I serve on, that indicate that between now and the end of this biennium in July of 1983, there will be 1900 people more than there are beds in our state institutions. My question is: Do you agree with that number and do you agree with the answer that was given by the department, that there is no apparent solution to the need for 'new bed space? Wouldn't this proposal of creating 500 beds to the honor camp perhaps give us some solution to the need for

beds in the short term? That facility exists now and would simply need to be renovated, and it could be brought in line before either the prison at Monroe which, I understand, will come on line after this biennium, and the prison at Clallam Bay which will come on line in January of 1985?"

Mr. Nisbet: "We are overpopulated now, and I don't remember the exact figures, Representative Nelson. We are overpopulated now and we will be overpopulated. We are gaining prisoners in the amounts of approximately 80 to 90 per month, who cannot be flushed out of the system by the old method of saying we'll shorten terms and so forth."

Mr. Nelson (D): "The second question was: Do you agree with the department's assessment that there is no apparent solution?"

Mr. Nisbet: "No, I don't agree with that. I joined you back when we were discussing McNeil and Governor Ray was violently opposed to it. I'm beginning to question my decision a little bit as I see the black hole that's being built up over there. As far as McNeil is concerned, and this overpopulation, we don't own McNeil. An awfully lot of people think we have McNeil and we are renting McNeil at a very, very expensive price tag. There is legislation in Congress which Senator Gorton and a few of the other folks back there are supporting, to try and get McNeil turned over to us to enable the state to buy McNeil, but I don't know whether we will get it because it is a game preserve, and it has a lot of allure for a large segment of the population. As I said this is an extremely 'iffy' plan. Right now we are renting a small portion of McNeil. We are allowed to use outside of the wire, the residences that were built there for the guards, but that's it. We are renting a small portion of McNeil. Hopefully, somewhere down the line, Congress may—again may—enable us to acquire all of McNeil, and then we would possibly be able, sometime in the future, to go into such things as creating an honor camp there. I really don't know if that's the place for an additional honor camp."

Mr. Nelson (D) spoke in favor of the amendment, and Mr. Scott spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Scott and others to Substitute House Bill No. 808, and the amendment was not adopted by the following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Grimm, Gruger, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Mitchell, Nelson D., Nelson G. A., North, O'Brien, Padden, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Monohon, Nickell, Nisbet, Owen, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 808 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 808, and the bill passed the House by the following vote: Yeas, 78; nays, 20; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barr, Barrett, Becker, Brekke, Burns, Gallagher, Gruger, Kaiser, Monohon, Nelson D., Padden, Pruitt, Rinehart, Rust, Salatino, Stratton, Valle, Van Dyken, Wang.

Substitute House Bill No. 808, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:00 a.m., Wednesday, November 25, 1981.

VITO T CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, November 25, 1981.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Corrie Lund and Tiffany Olson. Prayer was offered by The Reverend Paul Beeman of First United Methodist Church of Olympia.

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

MESSAGE FROM THE SENATE

November 24, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 773,
HOUSE BILL NO. 780,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 557.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 81-92, by Representatives Ellis, Prince, Amen, Grengo, Taylor, Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley.

WHEREAS, Washington's two major college football teams enjoyed excellent seasons, bringing excitement to their fans and credit to their Universities and the State of Washington; and

WHEREAS, Washington's two major college football teams met on the field of play to determine the Pacific-Ten Conference championship and Rose Bowl berth for the first time in over fifty years; and

WHEREAS, All the players and coaches for both teams are deserving of congratulations and recognition for their hard work, skill, and fair play in the championship game and throughout the season; and

WHEREAS, The University of Washington is champion of the Pacific-Ten Conference and will represent the conference and the State of Washington in the Rose Bowl; and

WHEREAS, Washington State University earned national recognition with a season record of eight wins, two losses, and one tie and will represent the State of Washington in the Holiday Bowl; and

WHEREAS, Bowl appearances by Washington's two major college football teams will bring further recognition to the teams, their Universities, and the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That this body congratulates the players, coaches, and fans of the University of Washington and Washington State University football teams for an exciting and successful season; and

BE IT FURTHER RESOLVED, That Washington's two major college football teams carry this body's best wishes for success and safety in their Bowl appearances; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the head coaches of the University of Washington and Washington State University football teams.

The Speaker recognized within the bar of the House, Mr. Mike Lude, Athletic Director of the University of Washington, and Coach James of Washington State University, and requested Representatives Nelson (G) and Kaiser to escort them to the rostrum.

Representatives Prince, Ellis, Chandler, Garson, Hine, O'Brien, Sanders, Grimm and Nisbet spoke in favor of the resolution, and it was adopted.

Each coach spoke briefly to the House, and the committee escorted them from the House Chamber.

MESSAGE FROM THE SENATE

November 25, 1981

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 557,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

November 24, 1981

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 756 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. There is added to chapter 74.04 RCW a new section to read as follows:

(1) Applicants and recipients under this title must satisfy all reporting requirements imposed by the department.

(2) The secretary shall have the discretion to consider: (a) Food stamp allotments and/or (b) rent or housing subsidies as income in determining eligibility for and assistance to be provided by public assistance programs. If the department considers food stamp allotments as income in determining eligibility for assistance, applicants or recipients for any grant assistance program must apply for and take all reasonable actions necessary to establish and maintain eligibility for food stamps.

NEW SECTION. Sec. 2. There is added to chapter 74.04 RCW a new section to read as follows:

Payment of assistance shall not be made for any month if the payment prior to any adjustments would be less than ten dollars. However, if payment is denied solely by reason of this section, the individual with respect to whom such payment is denied is determined to be a recipient of assistance for purposes of eligibility for other programs of assistance except for a community work experience program.

NEW SECTION. Sec. 3. There is added to chapter 74.12 RCW a new section to read as follows:

(1) A family or assistance unit is not eligible for aid for any month if for that month the total income of the family or assistance unit, without application of income disregards, exceeds one hundred fifty percent of the state standard of need for a family of the same composition.

(2) Participation in a strike does not constitute good cause to leave or to refuse to seek or accept employment. Assistance is not payable to a family for any month in which any caretaker relative with whom the child is living is, on the last day of the month, participating in a strike. An individual's need shall not be included in determining the amount of aid payable for any month to a family or assistance unit if, on the last day of the month, the individual is participating in a strike.

(3) Children over eighteen years of age and under nineteen years of age who are full-time students reasonably expected to complete a program of secondary school, or the equivalent level of vocational or technical training, before reaching nineteen years of age are eligible to receive aid to families with dependent children: PROVIDED HOWEVER, That if such students do not successfully complete such program before reaching nineteen years of age, the assistance rendered under this subsection during such period shall be a debt due the state.

NEW SECTION. Sec. 4. There is added to chapter 74.04 RCW a new section to read as follows:

The department shall establish consolidated standards of need each biennium which may vary by geographical areas, program, and family size, for aid to families with dependent children, refugee assistance, supplemental security income, and general assistance to unemployable persons. Standards for aid to families with dependent children, refugee assistance, and general assistance to unemployable persons shall include reasonable allowances for shelter, fuel, food, transportation, clothing, household maintenance and operations,

personal maintenance, and necessary incidentals. The standard of need shall take into account the economies of joint living arrangements.

The department is authorized to establish rateable reductions and grant maximums consistent with federal law.

Payment level will be equal to need or a lesser amount if rateable reductions or grant maximums are imposed. In no case shall a recipient of supplemental security income receive a state supplement less than the minimum required by federal law.

The department may establish a separate standard for shelter provided at no cost.

Sec. 5. Section 1, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.005 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) 'Public assistance' or 'assistance'—Public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

(2) 'Department'—The department of social and health services.

(3) 'County or local office'—The administrative office for one or more counties or designated service areas.

(4) 'Director' or 'secretary' means the secretary of social and health services.

(5) 'Federal-aid assistance'—The specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(6) 'General assistance'—Aid to unemployable persons in need who:

- (a) Are not eligible to receive federal-aid assistance; and
- (b) Are incapacitated from gainful employment by reason of:

(i) Bodily or mental infirmity;

(ii) Participation in an approved drug or alcoholism treatment program; or

(iii) Being sixty-five years of age, or over: PROVIDED, That such incapacity in (b) (i) through (iii) of this subsection, as determined by the department, will last at least sixty days from the date of application, except that persons in approved alcoholism and/or drug programs may be eligible for less than a sixty-day period in accordance with the terms of their treatment plan.

(7) 'Applicant'—Any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(8) 'Recipient'—Any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(9) 'Standards of assistance'—The level of income required by an applicant or recipient to maintain a level of living specified by the department.

~~((++))~~ (10) 'Resource'—Any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent: PROVIDED, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto, which is used by and useful to the applicant. Whenever a recipient shall cease to use such property for residential purposes, either for himself or his dependents, the property shall be considered as income which can be made available to meet need, and if the recipient or his dependents absent themselves from the home for a period of ninety consecutive days such absence, unless due to hospitalization or health reasons or a natural disaster, shall raise a rebuttable presumption of abandonment: PROVIDED, That if in the opinion of three physicians the recipient will be unable to return to the home during his lifetime, and the home is not occupied by a spouse or dependent children or disabled sons or daughters, such property shall be considered as income which can be made available to meet need.

(b) Household furnishings and personal effects and other personal property having great sentimental value to the applicant or recipient, as limited by the department consistent with limitations on resources and exemptions for federal aid assistance.

~~(c) ((Term and burial insurance for use of the applicant or recipient:~~

~~(d) Vehicle(s)) A motor vehicle, other than a motor home, used and useful having an equity value not to exceed one thousand five hundred dollars.~~

~~((c) Life insurance having a cash surrender value not to exceed seven hundred fifty dollars until July 1, 1981, and thereafter one thousand five hundred dollars.~~

~~(f) Cash, marketable securities, and any excess of values exempted under (d) and (c) of this section, not to exceed seven hundred fifty dollars for a single person or one thousand two hundred fifty dollars for a family unit of two or more until July 1, 1981, and thereafter one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more.~~

~~(g)) (d) All other resources, including any excess of values exempted, not to exceed one thousand dollars or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance.~~

(e) Applicants for or recipients of general assistance may retain the following described resources in addition to exemption for a motor vehicle or home and not be ineligible for public assistance because of such resources:

(i) Household furnishings, personal effects, and other personal property having great sentimental value to the applicant or recipient;

(ii) Term and burial insurance for use of the applicant or recipient;

(iii) Life insurance having a cash surrender value not exceeding one thousand five hundred dollars; and

(iv) Cash, marketable securities, and any excess of values above one thousand five hundred dollars equity in a vehicle and above one thousand five hundred dollars in cash surrender value of life insurance, not exceeding one thousand five hundred dollars for a single person or two thousand two hundred fifty dollars for a family unit of two or more. The one thousand dollar limit in subsection (10)(d) of this section does not apply to recipients of or applicants for general assistance.

(f) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, but the department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient.

((+)) (11) 'Income'—All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient after applying for or receiving public assistance: PROVIDED, ((That all necessary expenses that may reasonably be attributed to the earning of income shall be considered in determining net income. PROVIDED FURTHER,)) That the department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him to decrease his need for public assistance or to aid in rehabilitating him or his dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance: PROVIDED FURTHER, That in determining the amount of assistance to which ((a)) an applicant or recipient of aid to families with dependent children is entitled, the department is hereby authorized to disregard as a resource or income the earned income exemptions consistent with federal requirements: PROVIDED FURTHER, The department may permit the above exemption of earnings of a child to be retained by such child to cover the cost of special future identifiable needs even though the total exceeds the exemptions or resources granted to applicants and recipients of public assistance, but consistent with federal requirements. In formulating rules and regulations pursuant to this chapter, the department shall define ((earned)) income((?)) and resources and the availability thereof, consistent with federal requirements. All resources and income not specifically exempted, and any income or other economic benefit derived from the use of, or appreciation in value of, exempt resources, shall be considered in determining the need of an applicant or recipient of public assistance.

((+)) (12) 'Need'—The difference between the applicant's or recipient's standards of assistance for himself and the dependent members of his family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt ((net)) income received by or available to the applicant or recipient and the dependent members of his family.

((+)) (13) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

Sec. 6. Section 22, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.700 are each amended to read as follows:

(1) To the extent of available funds, medical care may be provided under the limited casualty program to persons not otherwise eligible for medical assistance or medical care services who are medically needy as defined in the social security Title XIX state plan and medical indigents in accordance with medical eligibility requirements established by the department. This includes residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are aged, blind, or disabled as defined in Title XVI of the federal social security act and whose income exceeds three hundred percent of the federal supplement security income benefit level.

(2) Determination of the amount, scope, and duration of medical coverage under the limited casualty program shall be the responsibility of the department, subject to the following:

(a) Only inpatient hospital services; outpatient hospital and rural health clinic services; physicians' and clinic services; prescribed drugs, dentures, prosthetic devices, and eyeglasses; skilled nursing home services, intermediate care facility services, and intermediate care facility services for the mentally retarded; home health services; other laboratory and x-ray services; and medically necessary transportation shall be covered;

(b) A patient deductible not to exceed one-half the payment the department makes for the first day's stay for inpatient hospital care, shall be included for the medically needy component of the program;

(c) Persons who are medically indigent and are not eligible for a federal aid program shall satisfy a deductible of not less than one thousand five hundred dollars in any twelve-month period;

(d) Medical care services provided to the medically indigent and received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment.

(3) The department shall establish standards of assistance and resource and income exemptions. All nonexempt income and resources of limited casualty program recipients shall be applied against the cost of their medical care services. In addition, the department ((may)) shall include a prohibition against the ((voluntary)) knowing and wilful assignment of property or cash for the purpose of qualifying for assistance under sections 1 through 3 of chapter — (2SHB 557), Laws of 1981 2nd ex. sess.

~~((4) The department shall, to the maximum extent possible, recover the cost of medical care provided under this section from future income and resources. Future income and resources shall be limited to those available up to twenty-four months following the provision of care.))~~

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

(1) Section 9, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.525; and

(2) Section 10, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.041.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "public assistance;" strike the remainder of the title and insert "amending section 1, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.04.005; amending section 22, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.700; adding new sections to chapter 74.04 RCW; adding a new section to chapter 74.12 RCW; repealing section 9, chapter 172, Laws of 1969 ex. sess. and RCW 74.04.525; repealing section 10, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.041; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Mitchell moved that the House do not concur in the Senate amendments to Engrossed Second Substitute House Bill No. 756, and ask the Senate to recede therefrom.

Representatives Mitchell and Kreidler spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

November 24, 1981

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 774 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. The legislature finds that:

(1) The United States supreme court has reversed lower court decisions relating to jail and prisons standards, thus permitting state and local authorities more flexibility in planning jail and prison facilities;

(2) Current physical plant standards used by the state jail commission in allocating state funds for local jail construction are inconsistent with supreme court decisions, and will result in increased construction costs, and impose higher staffing costs on local governments;

(3) The major part of the two hundred thirty-six million dollars of bonds presently authorized for jail construction remains to be issued, and it is estimated that the state will exceed its statutory limit for bond issues by 1984;

(4) It is incumbent upon the legislature to eliminate unnecessary bond issues and to reduce costs to the state and local governments.

NEW SECTION. Sec. 2. There is added to chapter 70.48 RCW a new section to read as follows:

The jail commission shall immediately review and modify physical plant, operating, and other standards in accordance with current case law. In accordance with such revised standards or variances, local governments may modify jail designs to reduce space and staffing requirements and construction costs.

NEW SECTION. Sec. 3. The state jail commission shall advise the legislature of the changes in standards by or before February 1, 1982.

Sec. 4. Section 5, chapter 316, Laws of 1977 ex. sess. as last amended by section 1, chapter 276, Laws of 1981 and RCW 70.48.050 are each amended to read as follows:

In addition to any other powers and duties contained in this chapter, the commission shall have the powers and duties:

(1) To adopt such rules and regulations, after approval by the legislature, pursuant to chapter 34.04 RCW, as it deems necessary and consistent with the purposes and intent of this chapter on the following subjects:

(a) Mandatory custodial care standards that are essential for the health, welfare, and security of persons confined in jails. In adopting each rule or regulation pertaining to mandatory custodial care standards, the commission shall cite the applicable case law, statutory law or constitutional provision which requires such rule or regulation. The commission shall grant variances from custodial care standards to governing units which operate jails with physical deficiencies which directly affect their ability to comply with these standards, if the governing unit is eligible for and has applied for funds under RCW 70.48.110. The variances remain in effect until state funding to improve or reconstruct the jails of these governing units has been expended for that purpose;

(b) Advisory custodial care standards;

(c) The classification and uses of holding, detention, and correctional facilities. Except for the housing of work releases in accordance with commission rules, a person may not be held in a holding facility longer than seventy-two hours, exclusive of weekends and holidays, without being transferred to a detention or correctional facility unless the court having jurisdiction over the individual authorizes a longer holding, but in no instance shall the holding exceed thirty days;

(d) The content of jail records which shall be maintained by the department of corrections or the chief law enforcement officer of the governing unit. In addition the governing unit, chief law enforcement officer, or department of corrections may require such additional records as they deem proper; and

(e) The segregation of persons and classes of persons confined in holding, detention, and correctional facilities;

(2) To investigate, develop, and encourage alternative and innovative methods in all phases of jail operation;

(3) To make comments, reports, and recommendations concerning all phases of jail operation including those not specifically described in this chapter;

(4) To hire necessary staff, acquire office space, supplies, and equipment, and make such other expenditures as may be deemed necessary to carry out its duties;

(5) The secretary shall submit minimum physical plant standards to the commission for review and promulgate proposed standards pursuant to chapter 34.04 RCW. After such promulgation, the standards shall be presented for review at a public conference of city, town, and county legislative and executive officials and directors of departments of correction or the chief law enforcement officers of the governing units in four regional meetings, two of which shall be east of the Cascade range. Subsequent to these reviews, and utilizing the data received, the commission shall adopt minimum physical plant standards pursuant to chapter 34.04 RCW, after approval by the legislature. The commission may preempt any provisions of the state building code under chapter 19.27 RCW and any local ordinances that apply to jails or a particular jail if the provisions relate to the installation or use of sprinklers in the cells and the commission finds that compliance with the provisions would conflict with the secure and humane operation of jails or the particular jail;

(6) To cause all jails to be inspected at least annually by designated jail inspectors and to issue a certificate of compliance to each facility which is found to satisfactorily meet the requirements of this chapter and the rules, regulations, and standards adopted hereunder: PROVIDED, That certificates of partial compliance may be issued where applicable. The inspectors shall have access to all portions of jails, to all prisoners confined therein, and to all records maintained by said jails; and

(7) To establish advisory guidelines and model ordinances to assist governing units in establishing the agreements necessary for the joint operation of jails and for the determination of the rates of allowance for the daily costs of holding a prisoner pursuant to the provisions of RCW 70.48.080(6).

Sec. 5. Section 6, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 64, Laws of 1980 and RCW 19.27.060 are each amended to read as follows:

(1) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3), (4), ~~((and))~~ (5), and (6) of this section, the state building code supersedes all county, city or town building regulations containing less than the minimum performance standards and objectives contained in the state building code.

(2) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3), (4), ~~((and))~~ (5), and (6) of this section, the state building code shall be applicable to all buildings and structures including those owned by the state or by any other governmental subdivision.

(3) The governing body of each city, town or county may limit the application of any rule or regulation or portion of the state building code to include or exclude specified classes or types of buildings or structures, according to use, occupancy, or such other distinctions as may make differentiation or separate classification or regulation necessary, proper, or desirable: PROVIDED, That in no event shall fruits or vegetables of the tree or vine stored in buildings or warehouses, constitute combustible stock for the purposes of application of the uniform fire code.

(4) The provisions of this chapter shall not apply to any building four or more stories high with an F occupancy as defined by the uniform building code, chapter 6, 1973 edition, and with a fire insurance classification rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.

(5) The provisions of the uniform fire code concerning access roadways for fire department apparatus applying to dwellings which are classified as group R, division 3 occupancies or group M occupancies in the 1976 edition of the uniform building code, shall be applied at the discretion of the governing body of each city, town or county.

(6) The provisions of the state building code are preempted by any physical standards adopted by the state jail commission under RCW 70.48.050 when the code provisions relating to the installation or use of sprinklers in the cells conflict with the standards and the secure and humane operation of jails.

NEW SECTION. Sec. 6. Effective June 30, 1984, sections 1 through 4 of this act, the RCW sections under which they are codified, and any amendments thereto, shall expire.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "standards;" strike the remainder of the title and insert "amending section 5, chapter 316, Laws of 1977 ex. sess. as last amended by section 1, chapter 276, Laws of 1981 and RCW 70.48.050; amending section 6, chapter 96, Laws of 1974 ex. sess. as last amended by section 1,

chapter 64, Laws of 1980 and RCW 19.27.060; adding new sections to chapter 70.48 RCW; creating new sections; providing an expiration date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Struthers, the House concurred in the Senate amendments to Substitute House Bill No. 774.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 774 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 774 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Nelson D.

Not voting: Representative Salatino.

Substitute House Bill No. 774 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 815, by Representatives Dawson and Wang:

AN ACT Relating to disability insurance; adding a new chapter to Title 48 RCW; and providing an effective date.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 816, by Representatives Martinis, Wilson, Houchen, King (R), Lundquist, Gallagher, Bickham and Wang:

AN ACT Relating to hazardous materials; and adding a new section to chapter 4.24 RCW.

To Committee on Natural Resources and Environmental Affairs

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORT OF STANDING COMMITTEE

November 25, 1981

HOUSE BILL NO. 790, Prime Sponsor: Representative Clayton, implementing emergency provisions relating to employment of school district certificated personnel. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Smith.

Voting nay: Representatives Scott, Ranking Minority Member; Brekke, Garrett, King (J), Lux, Monohon.

Not attending: Representative Brown.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 12:00 noon, Saturday, November 28, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTIETH DAY

NOON SESSION

House Chamber, Olympia, Wash., Saturday, November 28, 1981.

The House was called to order at 12:00 noon by the Speaker.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 774.

MOTION

On motion of Mr. Nelson (G), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Monday, November 30, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, November 30, 1981.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative McCormick, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sally Hayes and Jay Stewart. Prayer was offered by The Reverend Paul Beeman of First United Methodist Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

November 25, 1981

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise that on November 25, 1981, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 766: Relating to the disposition of unclaimed property.

HOUSE BILL NO. 780: Relating to the state trade fair fund.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGE FROM THE SENATE

November 28, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 774,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 817, by Committee on Revenue and Representative Greengo:

AN ACT Relating to local government revenue; amending section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 5, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.040; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; adding a new section to chapter 82.02 RCW; adding new sections to chapter 82.14 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 818, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to the business licensing system; amending section 1, chapter 319, Laws of 1977 ex. sess. and RCW 19.02.010; amending section 2, chapter 319, Laws of 1977 ex. sess. as amended by section 75, chapter 158, Laws of 1979 and RCW 19.02.020; amending section 3, chapter 319, Laws of 1977 ex. sess. as amended by section 76, chapter 158, Laws of 1979 and RCW 19.02.030; amending section 4, chapter 319, Laws of 1977 ex. sess. as amended by section 77, chapter 158, Laws of 1979 and RCW 19.02.040; amending section 7, chapter 319, Laws of 1977 ex. sess. as amended by section 79, chapter 158, Laws of 1979 and RCW 19.02.070; adding new sections to chapter 19.02 RCW; adding a new section to chapter 43.06 RCW; and repealing section 6, chapter 319, Laws of 1977 ex. sess. and RCW 19.02.060.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 819, by Representatives Ellis, Fiske, Chandler and Hastings:

AN ACT Relating to property taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; creating a new section; and declaring an emergency.

To Committee on Ways and Means

MOTIONS

Mr. Nelson (G) moved that the bills listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

Mr. Heck moved that the motion by Representative Nelson (G) be amended and HOUSE BILL NO. 817 be referred jointly to Committee on Revenue and Committee on Local Government.

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

The motion by Mr. Nelson (G) as amended was carried.

The Speaker declared the House recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker and McCormick who were excused.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Tuesday, December 1, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, December 1, 1981.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Maxie, McCormick and Winsley. Representative McCormick was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Keoki Morgan and Jennifer Isley. Prayer was offered by The Reverend Paul Beeman of First United Methodist Church of Olympia.

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

MESSAGES FROM THE SENATE

December 1, 1981

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 485 and has passed the bill without the Senate amendments, and the same is herewith transmitted.
Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

November 28, 1981

Mr. Speaker:

The Senate has receded from the amendment to the title of SUBSTITUTE HOUSE BILL NO. 760 and has adopted a new amendment to the title.

The Senate has passed SUBSTITUTE HOUSE BILL NO. 760 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 18.51 RCW a new section to read as follows:

If any part of this chapter is found to conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this chapter is hereby declared to be inoperative solely to the extent of the conflict, and such finding or determination shall not affect the operation of the remainder of this chapter.

Sec. 2. Section 6, chapter 117, Laws of 1951 as last amended by section 17, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.050 are each amended to read as follows:

Upon receipt of an application for license, the department shall issue a license if the applicant and the nursing home facilities meet the requirements established under this chapter. Prior to the issuance or renewal of the license, the licensee shall pay a license fee ~~((of one hundred dollars plus two dollars per bed per year))~~ as established by the department. No fee shall be required of government operated institutions. All licenses issued under the provisions of this chapter shall expire on a date to be set by the department, but no license issued pursuant to this chapter shall exceed ~~((twelve))~~ thirty-six months in duration ~~((PROVIDED, That when the annual license renewal date of a previously licensed nursing home is set by the department on a date less than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license))~~. When a change of ownership occurs, the entity becoming the licensed operating entity of the facility shall pay ~~((the full licensing))~~ a fee ~~((for the facility))~~ established by the department at the time of application for the license. The previously determined date of license expiration shall not change.

All applications and fees for renewal of the license and for change of ownership licenses shall be submitted to the department not later than thirty days prior to the date of expiration of the license or the date of the proposed change of ownership. Each license shall be issued only to the operating entity and those persons named in the license application. The license is valid only for the operation of the facility at the location specified in the license application. Licenses are not transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

Sec. 3. Section 63, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.091 are each amended to read as follows:

The department shall make or cause to be made at least ~~((a yearly))~~ one inspection of ~~((all))~~ each nursing home~~((s))~~ prior to license renewal. Every inspection may include an inspection of every part of the premises and an examination of all records, methods of administration, the general and special dietary and the stores and methods of supply. Following such inspection or inspections, written notice of any violation of this law or the rules and regulations promulgated hereunder, shall be given the applicant or licensee and the

department. The notice shall describe the reasons for the facility's non-compliance. The notice shall inform the facility that it must comply with a plan of correction within a specified time, not to exceed sixty days from the date the plan of correction is approved by the department. The penalties in RCW 18.51.060 may be imposed if, after the specified period, the department determines that the facility has not complied. In life-threatening situations or situations which substantially limit the provider's capacity to render adequate care, the department may require immediate correction or proceed immediately under RCW 18.51.060. The department may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit its plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Sec. 4. Section 10, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.230 are each amended to read as follows:

The department shall, in addition to any inspections conducted pursuant to complaints filed pursuant to RCW 18.51.190, conduct at least one general inspection ~~((each year))~~ prior to license renewal of all nursing homes in the state without providing advance notice of such inspection. ~~((At least one))~~ Periodically, such inspection ~~((in any three year period))~~ shall take place in part between the hours of 7 p.m. and 5 a.m. or on weekends.

Sec. 5. Section 1, chapter 244, Laws of 1977 ex. sess. as last amended by section 12, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.310 are each amended to read as follows:

(1) ~~((No later than December 31, 1980;))~~ Within thirty days of admission, the department shall evaluate, through review and assessment, the comprehensive plan of care for each resident supported by the department under RCW 74.09.120 as now or hereafter amended.

(2) The department shall review the comprehensive plan of care for such resident at least annually or upon any change in the resident's classification.

(3) Based upon the assessment of the resident's needs, the department shall assign such resident to a classification. Developmentally disabled residents shall be classified under a separate system.

(4) The nursing home shall submit any request to modify a resident's classification to the department for the department's approval. The approval shall not be given until the department has reviewed the resident.

(5) The department shall adopt ~~((revised licensing standards for nursing homes. The))~~ licensing standards ~~((shall be))~~ suitable for implementing the civil penalty system authorized under this chapter ~~((; chapter 74.42 RCW;))~~ and chapter 74.46 RCW.

~~((2))~~ The department, the board of health, the school of medicine, the University of Washington, and the schools of nursing within the state shall jointly submit to the legislature, not later than December 20, 1980, alternative methods of identifying and measuring the results of services delivered by the nursing home.

~~((3))~~ (6) No later than July 1, 1981, the department shall adopt all those regulations which meet all conditions necessary to fully implement the civil penalty system authorized by this chapter, chapter 74.42 RCW, and chapter 74.46 RCW.

Sec. 6. Section 74.09.120, chapter 26, Laws of 1959 as last amended by section 11, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.120 are each amended to read as follows:

The department shall purchase necessary physician and dentist services by contract or "fee for service." The department shall purchase hospital care by contract or by all inclusive day rate, or at a reasonable cost based on a ratio of charges to cost. Any hospital when requested by the department shall supply such information as necessary to justify its rate, charges or costs. All additional services provided by the hospital shall be purchased at rates established by the department after consultation with the hospital. The department shall purchase nursing home care by contract. The department shall establish regulations for reasonable nursing home accounting and reimbursement systems which comply with RCW 74.09.610. The regulations shall provide that no payment shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such a system.

All other services and supplies provided under the program shall be secured by contract.

The department may purchase care in institutions for the mentally retarded, also known as intermediate care facilities for the mentally retarded. The department shall develop rules for reasonable accounting and reimbursement systems for such care and report such rules to the next regular session of the legislature for review prior to implementation. Institutions for the mentally retarded include licensed nursing homes, public institutions, licensed boarding homes with fifteen beds or less, and hospital facilities certified as intermediate care facilities for the mentally retarded under the federal medicaid program to provide health, habilitative, or rehabilitative services and twenty-four hour supervision for mentally retarded individuals or persons with related conditions and includes in the program "active treatment" as federally defined.

Sec. 7. Section 4, chapter 260, Laws of 1977 ex. sess. as amended by section 2, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.580 are each amended to read as follows:

The nursing home payment system under this chapter shall provide for individually-based or class-based rates which shall be the maximum reimbursement for each nursing home for the period for which the rates are assigned.

(1)(a) Beginning with the settlements for calendar year 1981, the nursing home shall submit a preliminary settlement report simultaneously with the annual cost report.

(b) Within ninety days after receipt of the reports by the secretary, the department shall submit a proposed settlement report by cost center to the nursing home which fully substantiates disallowed costs, refunds, underpayments, and/or adjustments to the preliminary settlement report.

(c) The proposed settlement shall provide the basis for a schedule to correct overpayments and underpayments.

(2) (a) The department shall calculate a settlement for the 1980 cost reporting period by comparing the rate paid to a contractor with that contractor's reported allowable costs. Refunds due the department based upon overpayments made to nursing home contractors from January 1, 1980, through December 31, 1980, indicated by this settlement shall be due and payable in full within thirty days after written notice is received from the department.

(b) Where deemed appropriate by the department, repayment may be made according to a schedule determined by the department.

(c) Failure on the part of a nursing home contractor to tender payment due in full within thirty days after notice is received from the department shall render the contractor liable for the payment of interest to the department at the rate of one percent per month for any unpaid balance from thirty days after the date of notification until payment in full is received by the department. Liability for interest payments under this subsection (2)(c) shall remain in effect whether a contractor is in default of repayment or is making repayment according to a schedule determined by the department in lieu of payment in full upon notification of payment due.

(d) Unless payment due from a nursing home contractor is received in full within thirty days after notification from the department or unless principal and interest payments are received according to a schedule determined by the department, recoupment from current reimbursement payments due a contractor in default will commence according to a schedule determined by the department.

(e) Nothing in this subsection shall prejudice the rights of contractors or the department regarding audit adjustments and/or revised settlements which may be promulgated by the department from time to time in individual contractor cases.

(3) Operators of nursing homes shall refund all portions of payments received which exceed actual audited costs and all portions of payments received which are attributable to unreasonable or nonallowable costs as determined by federal or state regulations.

Sec. 8. Section 1, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.610 are each amended to read as follows:

(1) The nursing home auditing and cost reimbursement system of the department of social and health services shall be governed by this section until implementation of chapter 74.46 RCW. The department shall reimburse nursing homes on the basis of the following cost centers: Patient care, food, administration and operations, and property.

(2) (a) For rate setting purposes for fiscal year 1982, the department shall reimburse the patient care cost center at the January 1, 1981, reimbursement rate, as adjusted for inflation.

((*) (b) For rate setting purposes in fiscal year 1983, this subsection (2)(b) applies.

(i) There shall be established by the department a redistribution pool consisting of overpayments to contractors for 1981 indicated by proposed settlements for 1981, less one million dollars.

(ii) If a contractor's patient care cost center rate for 1981 is greater than or equal to the contractor's desk reviewed 1981 patient care costs, the department shall reimburse the patient care cost center at the desk reviewed 1981 patient care costs plus any patient care funds shifted to other cost centers pursuant to subsection (8) of this section, as adjusted for inflation.

(iii) If the contractor's 1981 patient cost center rate is less than the contractor's desk reviewed 1981 patient care costs, the department shall reimburse the contractor's patient care cost at the January 1, 1982, reimbursement rate less one and one half percent, as adjusted for inflation, plus an allowance from the redistribution pool. The allowance for a contractor shall not exceed the contractor's patient care costs, as adjusted for inflation, and the total of allowances distributed shall not exceed the redistribution pool under subsection (2)(b)(i) of this section. If the funds contained in the redistribution pool exceed or are equal to the total amount by which contractors were underfunded in the patient care cost center, each contractor's allowance will be equal to the amount by which the contractor was underfunded. If the funds contained in the redistribution pool are less than the total amount by which contractors were underfunded in the patient care cost center, each contractor will receive an allowance which shall be a percentage of the amount by which the contractor was underfunded. The percentage shall be determined by dividing the amount of the pool by the total amount of underfunding.

(c) In addition, the reimbursement shall be enhanced by three million dollars for the first year of the biennium and by ((five)) one million four hundred thousand dollars for the second year of the biennium. These enhancements shall be apportioned among the nursing homes proportionately based on the patient care cost center for each nursing home.

((*) (d) For the purpose of nursing assistant certification, the department shall reimburse at a rate of thirty cents for each Medicaid patient day for the first year of the biennium ((and at a rate of thirty-three cents, as adjusted for inflation, for each Medicaid patient day for the second year of the biennium)). This is in addition to the January 1, 1981, reimbursement rate.

(e) Effective July 1, 1982, the patient care cost center reimbursement rate shall be adjusted as follows:

(i) As used in (ii) of this subsection, patient care consultation refers to medical director, patient activities, physical therapy, speech therapy, occupational therapy, and other therapy consultation.

(ii) The department shall determine the average expense weighted by patient days for patient care consultation taken from the most recently completed cost reports.

In determining the patient care cost to be used for rate setting pursuant to subsections (2)(b)(ii) and (iii) of this section, the department shall not include any cost in excess of the average cost determined under (ii) of this subsection.

(3) Reimbursement for the food cost center shall be at the January 1, 1981, reimbursement rate, adjusted for inflation.

(4) The administration and operations cost center consists of two components:

(a) (i) For rate setting purposes for fiscal year 1982, the wages for all employees, other than nursing service personnel and administrators and assistant administrators, shall be reimbursed at the January 1, 1981, rate as adjusted for inflation.

(ii) For rate setting purposes for fiscal year 1983:

(A) If the contractor's administration and operations wage component rate for 1981 is greater than or equal to the contractor's desk reviewed 1981 administration and operations wage costs, the department shall reimburse the contractor's administration and operations wage component at the desk reviewed 1981 administration and operations wage component costs as adjusted for inflation.

(B) If the contractor's administration and operations wage component rate for 1981 is less than the contractor's desk reviewed 1981 administration and operations wage costs, the department shall reimburse the contractor's administration and operations wage component at the January 1, 1981, reimbursement rate as adjusted for inflation, except that, after distribution of the redistribution pool to contractors underfunded in the patient care cost center pursuant to subsection (2)(b)(iii) of this section, any funds remaining will be distributed to contractors with rates below cost in proportion to the underfunding in this component. This distribution shall not exceed the total of underfunded cost in this component.

(b) Reimbursement for administration and operations, including all items not specified in subsections (2), (3), (4)(a), (5), and (6) of this section, shall not exceed the eighty-fifth percentile of the costs of all reporting facilities, not including any funds shifted pursuant to subsection (8) of this section, as adjusted for inflation, except that the nursing home facilities may be grouped by factors, other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations. Effective July 1, 1982, the administration and operations cost center reimbursement rate shall be adjusted as follows:

(i) As used in (ii) and (iii) of this subsection, administration and operations consultation expense refers to dietary and medical record consultant fees.

(ii) The department shall determine the average expense weighted by patient days for administration and operations consultation expense taken from the most recent completed cost report.

(iii) Reimbursement for administration and operations consultation shall be the lesser of the average expense as determined under (ii) of this subsection or the individual facility's costs for administration and operations consultation expenses taken from the most recent completed cost report, as adjusted for inflation. This adjustment applies only to the July 1, 1982, through July 1, 1983, reimbursement period.

(5) The return on net invested equity for each facility shall be determined by utilizing medicare rules and regulations.

(6) Property cost center reimbursement for both leased and owner-operated facilities shall not exceed the predicted cost plus one standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities utilizing a multiple regression formula developed by the department of social and health services, recognizing factors which may be significant, including location, age, and type of facility. Rental costs of leased facilities other than those operating as intermediate care facilities for the mentally retarded, and depreciation and interest costs of owner-operated facilities, for leases or mortgages entered into prior to July 1, 1979, shall be reimbursed to the extent they do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, or July 1, 1979, whichever is higher, adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state medicaid plan, and adjusted for any approved capitalized additions or replacements, except that any leased facility which has operated as an intermediate care facility for the mentally retarded prior to July 1, 1979, shall be reimbursed to the extent that the property costs exceed the upper limit of the multiple regression formula.

(7) The patient personal needs allowance limitation shall be thirty-three dollars and fifty cents.

(8) For settlement purposes only, for calendar years 1981, 1982, and 1983, a nursing home may shift among cost centers an amount not greater than twenty percent of the reimbursement rate of the cost center into which the shift is being made. Shifts may be made among the cost centers. However, shifts may not be made into the property cost center. The department shall monitor on a random basis the extent and patterns of shifting between cost centers authorized by this section. The department shall report to the legislature on its findings required by this section prior to ~~(February)~~ July 15th of each year.

(9) Audits shall be conducted by the department and settlements shall be calculated by cost center only.

(10) The department may adjust reimbursement rates to reflect required increases in staffing levels and capital improvements.

(11) Any reference in this section to a January 1, 1981, reimbursement rate includes any adjustment resulting from a rate appeal and its final resolution, but shall not include any adjustment resulting from litigation on reimbursement rates prior to June 30, 1981, or the procedures by which they were established.

(12) References in this section to adjustments for inflation mean adjustments of 5.0 percent for rates effective July 1, 1981, through December 31, 1981; ((5-2)) 4.25 percent for rates effective January 1, 1982, through June 30, 1982; ((4-35)) 3.25 percent for rates effective July 1, 1982, through December 31, 1982; and ((4-35)) 3.25 percent for rates effective January 1, 1983, through June 30, 1983.

NEW SECTION. Sec. 9. Section 7, chapter 114, Laws of 1979 and RCW 18.52A.070 are each repealed.

NEW SECTION. Sec. 10. Sections 2, 3, 4, 6, and 7 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the Title, after "nursing homes;" strike the remainder of the Title and insert "amending section 6, chapter 117, Laws of 1951 as last amended by section 17, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.050; amending section 63, chapter 211, Laws of 1979 ex. sess. and RCW 18.51.091; amending section 10, chapter 99, Laws of 1975 1st ex. sess. and RCW 18.51.230; amending section 1, chapter 244, Laws of 1977 ex. sess. as last amended by section 12, chapter 2, Laws of 1981 1st ex. sess. and RCW 18.51.310; amending section 1, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.610; amending section 74.09.120, chapter 26, Laws of 1959 as last amended by section 11, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.120; amending section 4, chapter 260, Laws of 1977 ex. sess. as amended by section 2, chapter 2, Laws of 1981 1st ex. sess. and RCW 74.09.580; adding a new section to chapter 18.51 RCW; repealing section 7, chapter 114, Laws of 1979 and RCW 18.52A.070; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nisbet, the House concurred in the Senate amendments to Substitute House Bill No. 760.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 760 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 760 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Brown, King J., Maxie, McCormick, Teutsch, Wang, Winsley.

Substitute House Bill No. 760 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative McCormick, who was excused.

SENATE AMENDMENTS TO HOUSE BILL

November 30, 1981

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 811 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. Unless specifically approved by two-thirds of the membership of the Legislative Budget Committee, no funds appropriated herein shall be expended for any remodeling, refurbishing, air conditioning, expansion, or relocation of any office facility, office building, office space, department or division or department director's headquarters unless the obligation for the expenditure was fully and legally incurred before the effective date of this act.

NEW SECTION. Sec. 2. Notwithstanding any other provision of law, except for the Department of Corrections and the Department of Social and Health Services, no funds appropriated herein shall be expended for compensation or employee benefits for the position of deputy director unless such position existed in law prior to January 1, 1981.

Sec. 3. Section 2, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation	\$ ((17,742,000))
	15,944,000
((FTE Staff Years — Fiscal Year 1982	319.0
FTE Staff Years — Fiscal Year 1983	319.0))

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$8,000 is for the house ethics committee.
- (2) \$9,000 is for the western forest practices task force.
- (3) \$49,000 is for dues of the national conference of state legislatures.
- (4) \$49,000 is for dues of the council of state governments.

Sec. 4. Section 3, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund Appropriation	\$ ((15,407,000))
	13,846,000
((FTE Staff Years — Fiscal Year 1982	280.0
FTE Staff Years — Fiscal Year 1983	280.0))

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$8,000 is for the senate ethics committee.
- (2) \$9,000 is for the western forest practices task force.
- (3) \$49,000 is for dues of the national conference of state legislatures.
- (4) \$49,000 is for dues of the council of state governments.

Sec. 5. Section 4, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation	\$ ((1,294,000))
	1,163,000
((FTE Staff Years — Fiscal Year 1982	16.0
FTE Staff Years — Fiscal Year 1983	16.0))

Sec. 6. Section 5, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation	\$ ((1,313,000))
	1,180,000
((FTE Staff Years — Fiscal Year 1982	8.0
FTE Staff Years — Fiscal Year 1983	8.0))

Sec. 7. Section 6, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation	\$ ((330,000))
	296,000
((FTE Staff Years — Fiscal Year 1982	4.0
FTE Staff Years — Fiscal Year 1983	4.0))

Sec. 8. Section 7, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation	\$ ((4,512,000))
	4,275,000
((FTE Staff Years — Fiscal Year 1982	58.8
FTE Staff Years — Fiscal Year 1983	67.2))

Sec. 9. Section 8, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation	\$ ((5,949,000))
	5,710,000
((FTE Staff Years — Fiscal Year 1982	60.0
FTE Staff Years — Fiscal Year 1983	60.0))

The appropriation in this section is subject to the following condition or limitation: \$((1,456,000)) 1,325,000 is provided solely for indigent appeal cases.

Sec. 10. Section 9, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation	\$ ((1,727,000))
	1,658,000
((FTE Staff Years — Fiscal Year 1982	14.4
FTE Staff Years — Fiscal Year 1983	14.4))

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 11. Section 10, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE COURT OF APPEALS

General Fund Appropriation	\$	((8,460,000))
		<u>7,820,000</u>
((FTE Staff Years — Fiscal Year 1982		<u>97.0</u>
FTE Staff Years — Fiscal Year 1983		97.0))

The appropriation in this section is subject to the following condition(s) or limitation(s): ((††)) \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

((2) If Senate Bill No. 3843 is enacted during the 1981 regular session of the legislature and if it contains an appropriation for the purchase of Division III Court of Appeals facilities, the general fund appropriation shall be reduced to \$8,270,000.)

Sec. 12. Section 11, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((10,780,000))
		<u>10,485,000</u>
General Fund — Judiciary Education Account Appropriation	\$	359,000
Total Appropriation	\$	((11,139,000))
		<u>10,844,000</u>
((FTE Staff Years — Fiscal Year 1982		<u>155.0</u>
FTE Staff Years — Fiscal Year 1983		155.0))

The appropriations in this section are subject to the following condition or limitation: A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$~~((360,000))~~ 310,000 is provided solely for criminal cost bills, including prior claims; \$~~((350,000))~~ 300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

Sec. 13. Section 12, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((294,000))
		<u>264,000</u>
((FTE Staff Years — Fiscal Year 1982		<u>4.7</u>
FTE Staff Years — Fiscal Year 1983		4.7))

Sec. 14. Section 13, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation	\$	((3,555,000))
		<u>3,195,000</u>
((FTE Staff Years — Fiscal Year 1982		<u>38.0</u>
FTE Staff Years — Fiscal Year 1983		38.0))

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$~~((3,163,000))~~ 2,851,000 may be spent for executive operations.

(2) ((A maximum of \$48,000 may be spent for investigations and emergency purposes.

(3)) A maximum of \$193,000 may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

((††)) (3) A maximum of \$151,000 is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

((5)) (4) A maximum of \$1,000 may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 15. Section 14, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE GOVERNOR — SPECIAL APPROPRIATIONS

General Fund Appropriation — State	\$	((166,929,000))
		<u>137,236,000</u>
General Fund Appropriation — Federal	\$	((27,117,000))
		<u>24,211,000</u>
Special Fund Salary and Insurance Contribution Increase Revolving Fund		
Appropriation	\$	((54,499,000))
		<u>48,687,000</u>
Total Appropriation	\$	((248,545,000))
		<u>210,134,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of ~~\$(2,500,000)~~ 2,247,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of ~~\$(159,621,000)~~ 129,349,000 of general fund moneys (including ~~\$(21,955,000)~~ 19,049,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective ~~(October)~~ February 1, ((1982)) 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That no raise effective February 1, 1983, shall increase any annual salary above \$35,000 in which case the recipient shall receive only that portion of the raise which would increase the salary to no more than \$35,000: PROVIDED FURTHER, That no employee making \$35,000 or more per year on February 1, 1983, shall be eligible for the raise effective on that date: PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of ~~\$(34,925,000)~~ 29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of ~~\$(24,413,000)~~ 22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of ~~\$(44,967,000)~~ 39,155,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 16. Section 15, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((226,000))
		<u>203,000</u>

((FTE Staff Years — Fiscal Year 1982

FTE Staff Years — Fiscal Year 1983

Sec. 17. Section 16, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((4,044,000))
		<u>3,800,000</u>

Archives and Records Management Account Appropriation	\$	1,135,000
<u>Total Appropriation</u>	<u>\$</u>	<u>4,935,000</u>
((FTE Staff Years — Fiscal Year 1982		50.4
FTE Staff Years — Fiscal Year 1983		50.4))

The appropriation in this section is subject to the following conditions and limitations:

- (1) ~~\$(972,000)~~ 923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.
- (2) ~~\$(610,000)~~ 559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.
- (3) ~~\$(50,000)~~ 25,000 is provided solely for costs associated with redistricting.

Sec. 18. Section 17, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs		
General Fund Appropriation	\$	((+16,667))
		<u>105,000</u>
Commission on Asian-American Affairs		
General Fund Appropriation	\$	((+16,667))
		<u>105,000</u>
Governor's Office of Indian Affairs		
General Fund Appropriation	\$	((+16,667))
		<u>105,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>((350,001))</u>
		<u>315,000</u>
((FTE Staff Years — Fiscal Year 1982		4.6
FTE Staff Years — Fiscal Year 1983		4.6))

The appropriations in this section are subject to the following condition(s) and limitation(s): ((+)) The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements.

((2) The appropriation for the commission on Asian-American affairs shall fund a commission membership not to exceed twelve members and the commission shall amend its bylaws to provide for a quorum of seven members, provided conforming changes to chapter 43.117 RCW are enacted during the 1981 regular session of the legislature.))

Sec. 19. Section 18, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State	\$	37,000
State Treasurer's Service Fund Appropriation	\$	((5,205,000))
		<u>4,930,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>((5,242,000))</u>
		<u>4,967,000</u>
((FTE Staff Years — Fiscal Year 1982		71.4
FTE Staff Years — Fiscal Year 1983		71.5))

Sec. 20. Section 19, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((2,120,000))
		<u>1,906,000</u>
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	((5,480,000))
		<u>5,265,000</u>
<u>Total Appropriation</u>	<u>\$</u>	<u>((8,267,000))</u>
		<u>7,838,000</u>
((FTE Staff Years — Fiscal Year 1982		117.5
FTE Staff Years — Fiscal Year 1983		117.3))

The appropriations in this section are subject to the following conditions and limitations:

- (1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.
- (2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

NEW SECTION. Sec. 21. There is added to chapter 340, Laws of 1981 a new section to read as follows:

State agencies shall pay into the auditing services revolving fund such moneys and at such times as are provided by chapter 336, Laws of 1981 and the rules of the office of financial management: PROVIDED, That if a state agency does not pay into the auditing services revolving fund its required amount within twenty days of the beginning of the quarter, the director of financial management shall make such transfer within thirty days of the beginning of the quarter.

NEW SECTION. Sec. 22. There is added to chapter 340, Laws of 1981 a new section to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

- (1) Auditing services revolving fund;
- (2) Legal services revolving fund;
- (3) General administration facilities and services revolving fund (excluding the portion reflecting utilities);
- (4) Department of personnel service fund; and
- (5) Higher education personnel board service fund.

Sec. 23. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$ ((4,300,000))
	3,866,000
Legal Services Revolving Fund Appropriation	\$ ((19,513,000))
	17,542,000
Total Appropriation	\$ ((23,813,000))
	21,408,000
((FTE Staff Years—Fiscal Year 1982	317.1
FTE Staff Years—Fiscal Year 1983	320.1))

The appropriations in this section are subject to the following condition or limitation: \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

Sec. 24. Section 21, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$ ((14,009,000))
	12,752,000
General Fund Appropriation—Federal	\$ 6,300,000
Total Appropriation	\$ ((20,309,000))
	19,052,000
((FTE Staff Years—Fiscal Year 1982	128.6
FTE Staff Years—Fiscal Year 1983	127.1))

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$((750,000)) 675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.
- (2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.
- (3) \$1,568,000 of the general fund—state appropriation is provided solely for the completion of the state budget and accounting systems development.
- (4) \$((1,725,000)) 1,553,000 of the general fund—state appropriation is provided solely for payment of supplies and services furnished in previous biennia.
- (5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) As a portion of the expenditure reductions contained in this 1981 amendatory act, the office of financial management shall direct all agencies, departments, boards and commissions of the executive branch of state government to reduce by thirty percent their state general fund expenditures for travel and lodging. These reductions shall be ordered only with respect to moneys unexpended on the effective date of this amendatory act. These reductions shall not apply to any institution in which travel or lodging expenditures are otherwise reduced according to the provisions of this amendatory act. Any savings which result from these reductions shall be credited to the state general fund.

Sec. 25. Section 23, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation	\$	((8,830,000))
		7,938,000
((FTE Staff Years — Fiscal Year 1982		132.7
FTE Staff Years — Fiscal Year 1983		132.7))
State Employees' Insurance Fund Appropriation	\$	1,443,000
((FTE Staff Years — Fiscal Year 1982		15.0
FTE Staff Years — Fiscal Year 1983		15.0))
Total Appropriation	\$	((10,273,000))
		9,381,000

The appropriations in this section ((is)) are subject to the following condition or limitation: \$((319,000)) 287,000 of the department of personnel service fund appropriation ((and 6.0 FTE staff years)) shall be transferred to the personnel appeals board ((upon enactment, during the 1981 regular session, of Substitute House Bill No. 302)).

Sec. 26. Section 24, chapter 340, Laws of 1981 (uncodified) is amended to read as follows: *

FOR THE DATA PROCESSING AUTHORITY

General Fund Appropriation	\$	((443,000))
		398,000
((FTE Staff Years — Fiscal Year 1982		10.0
FTE Staff Years — Fiscal Year 1983		0.0))

The appropriation in this section is subject to the following condition or limitation: \$((443,000 and 10.0 FTE staff years are)) 398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations.

Sec. 27. Section 25, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((35,000))
		31,000

Sec. 28. Section 26, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((35,336,000))
		36,493,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((38,240,000))
		39,397,000
((FTE Staff Years — Fiscal Year 1982		636.7
FTE Staff Years — Fiscal Year 1983		635.7))

The appropriations in this section are subject to the following conditions and limitations:

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain ((current services including)) advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$2,444,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution. No more than 50.0 FTE staff years may be utilized for these purposes, 17.25 FTE staff years in fiscal year 1982 and the additional 32.75 FTE staff years in fiscal year 1983.

Sec. 29. Section 27, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((985,000))
		885,000
((FTE Staff Years — Fiscal Year 1982		14.0
FTE Staff Years — Fiscal Year 1983		14.1))

The appropriation in this section is subject to the following condition or limitation: \$104,000 is provided solely to employ one hearing examiner and one clerk typist. The positions shall terminate at the end of the biennium:))

Sec. 30. Section 28, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((11,182,000))
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	<u>6,505,000</u>
General Fund Appropriation—Private/Local	\$ 89,000
General Fund—Motor Transport Account Appropriation	\$ 8,688,000
General Administration Facilities and Services Revolving Fund Appropriation	\$ ((15,361,000))
	<u>13,378,000</u>
Total Appropriation	\$ ((35,320,000))
	<u>28,660,000</u>
((FTE Staff Years—Fiscal Year 1982	433.0
FTE Staff Years—Fiscal Year 1983	435.1))

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) ((~~\$2,697,000 of the general fund appropriation is provided solely for the banking program. Revenues generated from fees and charges in this program shall equal or exceed expenditures:~~

~~(3) \$1,127,000 of the general fund appropriation is provided solely for the savings and loan program. Revenues generated from fees and charges shall equal or exceed expenditures:~~

(4)) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

((5)) (3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 31. Section 29, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$ ((7,997,000))
	<u>7,189,000</u>
((FTE Staff Years—Fiscal Year 1982	123.2
FTE Staff Years—Fiscal Year 1983	123.2))

Sec. 32. Section 32, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST

Fisheries Bond Redemption Fund 1977 Appropriation	\$ 1,399,006
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$ 4,674,396
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$ 8,759,499
Fire Service Training Center-Bond Retirement Fund 1977 Appropriation	\$ 95,500
Highway Bond Retirement Fund Appropriation	\$ 76,269,110
State Building Construction Bond Redemption Fund Appropriation	\$ 2,129,015
Higher Education Bond Redemption Fund 1977 Appropriation	\$ 3,536,312
Ferry Bond Retirement Fund 1977 Appropriation	\$ 13,995,976
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$ 2,574,560
Public School Building Bond Redemption Fund 1961 Appropriation	\$ 3,749,388
General Administration Building Bond Redemption Fund Appropriation	\$ 606,238
Juvenile Correctional Institutional Building Bond Redemption Fund 1963 Appropriation	\$ 632,700
Outdoor Recreation Bond Redemption Fund Appropriation	\$ 2,341,138
Public School Building Bond Redemption Fund 1965 Appropriation	\$ 2,456,825
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$ 3,171,525
Spokane River Toll Bridge Account Appropriation	\$ 876,963
Public School Building Bond Redemption Fund 1963 Appropriation	\$ 8,763,316
Higher Education Bond Retirement Fund 1979 Appropriation	\$ 5,301,459
State General Obligation Bond Retirement Fund 1979 Appropriation	\$ ((35,888,357))
	<u>44,288,357</u>
Fisheries Bond Redemption Fund 1976 Appropriation	\$ 769,416
State Building Bond Redemption Fund 1967 Appropriation	\$ 652,110
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$ 13,371,499
Common School Building Bond Redemption Fund 1967 Appropriation	\$ 6,852,460
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$ 6,231,258
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$ 3,902,420
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$ 9,968,433
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$ 2,451,780
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$ ((23,366,544))

	27,566,544
Water Supply Facilities Bond Redemption Fund Appropriation	\$ 11,670,220
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$ 3,718,307
Recreation Improvements Bond Redemption Fund Appropriation	\$ 6,017,375
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$ 7,502,480
State Building Authority Bond Redemption Fund Appropriation	\$ 9,754,055
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$ 273,505
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$ 1,158,211
Washington State University Bond Redemption Fund 1977 Appropriation	\$ 553,065
Higher Education Bond Redemption Fund 1975 Appropriation	\$ 2,172,740
State Building Bond Redemption Fund 1973 Appropriation	\$ 3,886,348
State Building Bond Retirement Fund 1975 Appropriation	\$ 759,572
State Higher Education Bond Redemption Fund 1973 Appropriation	\$ 4,392,557
Social and Health Services Bond Redemption Fund 1976 Appropriation	\$ 9,971,978
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation	\$ 385,958
Community College Refunding Bond Retirement Fund 1974 Appropriation	\$ 9,553,126
State Higher Education Bond Redemption Fund 1974 Appropriation	\$ 1,218,350
Total Appropriation	\$ ((317,775,050))
	330,375,050

Sec. 33. Section 33, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$ ((998,000))
	897,000
((FTE Staff Years — Fiscal Year 1982	12.6
FTE Staff Years — Fiscal Year 1983	12.6))

Sec. 34. Section 35, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation	\$ 1,197,000
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Sec. 35. Section 36, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$ ((596,000))
	556,000
((FTE Staff Years — Fiscal Year 1982	5.3
FTE Staff Years — Fiscal Year 1983	5.3))

The appropriation in this section is subject to the following conditions and limitations:

(1) The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

(2) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.

Sec. 36. Section 37, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ((ATHLETIC)) BOXING COMMISSION

General Fund Appropriation	\$ ((71,000))
	64,000
((FTE Staff Years — Fiscal Year 1982	1.9
FTE Staff Years — Fiscal Year 1983	1.9))

Sec. 37. Section 41, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$ ((1,075,000))
	966,000
((FTE Staff Years — Fiscal Year 1982	18.5
FTE Staff Years — Fiscal Year 1983	18.5))

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 38. Section 44, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$ ((1,118,000))
	1,005,000
General Fund Appropriation—Federal	\$ ((2,241,000))
	2,227,000
Total Appropriation	\$ ((3,359,000))
	3,232,000
((FTE Staff Years — Fiscal Year 1982	22.0
FTE Staff Years — Fiscal Year 1983	22.0))

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 39. Section 45, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((7,044,000))
		6,330,000
General Fund Appropriation—Federal	\$	((1,838,000))
		1,764,000
Total Appropriation	\$	((8,882,000))
		8,094,000
((FTE Staff Years—Fiscal Year 1982		129.7
FTE Staff Years—Fiscal Year 1983		129.7))

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((340,000))~~ 279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

Sec. 40. Section 46, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation	\$	((1,305,000))
		1,173,000
((FTE Staff Years—Fiscal Year 1982		16.4
FTE Staff Years—Fiscal Year 1983		16.4

The appropriation in this section is subject to the following condition or limitation: If Senate Bill Nos. 3405 and 3406, or House Bill Nos. 479 and 480, are enacted during the 1981 regular session of the legislature, the appropriation shall be reduced by \$10,000.)

Sec. 41. Section 47, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

The appropriations made by this act to the department of social and health services are subject to the following conditions and limitations:

(1) The department of social and health services shall not initiate any new services which will incur general fund state expenditures beyond those authorized by appropriation.

(2) Funds appropriated by this act to the department of social and health services shall be allotted and expended reflecting the legislative intent of this act. Within the specific limitations in this act, the department of social and health services may modify allotments after the initial three months of the biennium with the approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives: PROVIDED, That ~~((such allotment modifications may include transfers within programs only in sections 48, 49, 50, and 51 of this act to the extent that the director of financial management, after a ten-day prior notification to the committees on ways and means of the senate and house of representatives, shall attest to the critical nature of the modification))~~ because substantial uncertainty continues to exist as to actual federal revenues available to the department of social and health services and because major changes in federal entitlement programs affecting income maintenance, community social services, and medical assistance programs may have significant effects on caseloads and expenditures in those programs, allotment modifications may include transfers between programs in sections 49, 50, 51, 53, 54, and 55 of chapter 340, Laws of 1981. Allotment modifications shall be submitted to the legislative budget committee for approval prior to implementation.

(3) The department of social and health services may seek and receive additional federal funds not included in this act, subject to approval of the office of financial management, provided that such funding does not require additional expenditure of state funds.

(4) In anticipation of significant reductions in federal support for social service, public health, and Title XIX programs, the legislature has reduced the state's dependency on federal entitlement programs within the income maintenance, medical assistance, and social service programs. However, additional federal reductions may require further reductions to all human service programs. To ensure that the loss of federal funds does not result in an accelerated expenditure of state funds, the following requirements are placed on the department of social and health services:

(a) The department shall prepare a contingency expenditure plan to reflect anticipated loss of federal funds. This contingency plan shall include necessary program changes and a redefinition of services or eligibility criteria which will not require expenditures in excess of any appropriation provided in this act. The contingency plan shall be transmitted to the legislature upon completion and at least ten days before implementation.

Sec. 42. Section 48, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ~~((SOCIAL AND HEALTH SERVICES — ADULT))~~ CORRECTIONS ~~((PROGRAM))~~

~~((FTE Staff Years — Fiscal Year 1982 3,165.5
FTE Staff Years — Fiscal Year 1983 3,096.5))~~

(1) COMMUNITY SERVICES

General Fund Appropriation \$ ~~((48,264,000))~~
43,419,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) ~~\$((10,321,000))~~ 15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That ~~\$((1,000,000))~~ 999,000 of this appropriation is provided solely for ~~((Snohomish county))~~ pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,479,000 is provided solely for intensive parole.

(c) ~~\$((23,290,000))~~ 21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ ~~((141,532,000))~~
149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The ~~((division (or) department))~~ of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 ~~((and 735.7 FTE staff years))~~ for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 ~~((and 1,375.5 FTE staff years))~~ for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 ~~((and 44.0 FTE staff years))~~ for the Monroe mental health unit;

(iv) \$24,990,000 ~~((and 762.0 FTE staff years))~~ for the Washington State Reformatory;

(v) \$8,269,000 ~~((and 271.0 FTE staff years))~~ for the Purdy Treatment Center for Women;

(vi) ~~\$((16,000,000 and 570.0 FTE staff years))~~ 20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 ~~((and 322.0 FTE staff years))~~ for the Special Offenders Center; ~~((and))~~

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center; and

(ix) Tobacco products shall not be provided to inmates who have not earned such products.

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ~~((16,989,000))~~
18,044,000

General Fund — Institutional Impact Account Appropriation \$ 525,000

Total Appropriation \$ 18,569,000

The appropriations in this subsection ~~((is))~~ are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$4,102,000 ~~((and 122.0 FTE staff years are))~~ is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$4,057,000 ~~((and 89.0 FTE staff years))~~ for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) ~~\$((1,200,000))~~ 1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) ~~((If a department of corrections is established by an act of the 1981 regular session of the legislature, the appropriations in this section shall be transferred to the department of corrections. All conditions and limitations as expressed in sections 47 and 48 of this act shall apply to the department of corrections:))~~

~~((5))~~ Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

~~((6))~~ ~~((5))~~ The ~~((department of social and health services, or the))~~ department of corrections ~~((if it is created during the 1981 regular session of the legislature,))~~ shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop

staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 43. Section 49, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

((FTE Staff Years—Fiscal Year 1982 810.5
FTE Staff Years—Fiscal Year 1983 811.5))

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$ ((20,562,000))	
		19,010,000
General Fund Appropriation—Federal	\$ 57,000	
Total Appropriation	\$ ((20,619,000))	19,067,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$((1,480,000)) 1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services. ((A maximum of \$857 per youth may be expended for community diagnostic services.))

(b) \$700,000 from the general fund—state appropriation ((and 20.0 FTE staff years are)) is provided solely for additional group home beds.

(c) \$224,000 ((and 3.0 FTE staff years are)) is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation ((and 10.0 FTE staff years are)) is provided solely to increase the bed capacity of state-operated group homes.

(e) \$((7,047,000)) 8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$ 35,443,000
General Fund Appropriation—Federal	\$ 682,000
Total Appropriation	\$ 36,125,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$428,000 ((and 12.0 FTE staff years are)) is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) ((and 379.8 FTE staff years)) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) ((and 326.0 FTE staff years)) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) ((and 327.4 FTE staff years)) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) ((and 152.0 FTE staff years)) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) ((and 82.0 FTE staff years)) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$ ((2,439,000))	
		1,889,000

Sec. 44. Section 50, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

((FTE Staff Years—Fiscal Year 1982 1,808.5
FTE Staff Years—Fiscal Year 1983 1,834.5))

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$ ((55,684,000))	
		53,186,000
General Fund Appropriation—Federal	\$ ((14,996,000))	
		14,821,000
General Fund Appropriation—Local	\$ 922,000	
Total Appropriation	\$ ((71,602,000))	68,929,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~\$(51,910,000)~~ 49,212,000 of which ~~\$(36,570,000)~~ 34,815,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) ~~\$(20,592,000)~~ 19,717,000 of which ~~\$(19,114,000)~~ 18,371,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State.....	\$	((73,910,000))
		77,511,000
General Fund Appropriation—Federal.....	\$	((4,978,000))
		5,085,000
Total Appropriation.....	\$	((78,888,000))
		82,596,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~\$(48,259,000)~~ 49,931,000, of which ~~\$(45,862,000)~~ 47,464,000 is from state funds, is provided solely for Western State Hospital. (~~Funds are provided for the operation of up to 95% of the rated bed capacity of this institution. 548.0 FTE staff years are provided for maintenance and support staff.~~)

(b) ~~\$(22,375,000)~~ 24,410,000, of which ~~\$(20,718,000)~~ 22,717,000 is from state funds, is provided for Eastern State Hospital. (~~Funds are provided for the operation of up to 95% of the rated bed capacity of this institution. 342.0 FTE staff years are provided for maintenance and support staff.~~)

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State.....	\$	((1,514,000))
		1,410,000
General Fund Appropriation—Federal.....	\$	320,000
Total Appropriation.....	\$	((1,834,000))
		1,730,000

The appropriations in this subsection are subject to the following condition or limitation: ~~\$(683,000)~~ 579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State.....	\$	1,851,000
General Fund Appropriation—Federal.....	\$	549,000
Total Appropriation.....	\$	2,400,000

Sec. 45. Section 51, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM		
((FTE Staff Years—Fiscal Year 1982		3,387.5
FTE Staff Years—Fiscal Year 1983		3,339.5))

(1) COMMUNITY SERVICES

General Fund Appropriation—State.....	\$	((47,569,000))
		47,179,000
General Fund Appropriation—Federal.....	\$	((11,645,000))
		9,434,000
Total Appropriation.....	\$	((59,214,000))

56,613,000

The appropriations in this subsection are subject to the following condition(s) and limitation(s): ~~((~~(\$2,000,000)~~) \$1,000,000 of which ~~\$(~~(+1,000,000)~~)~~ 500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund.~~

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,178,000))
		84,028,000
General Fund Appropriation—Federal	\$	49,036,000
Total Appropriation	\$	((133,214,000))
		133,064,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of (i) continuing the operation of the schools; (ii) changing the operation of the schools; and (iii) closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) \$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. ~~\$(~~(4,679,000)~~)~~ 4,529,000 is provided solely for the School for the Blind, of which ~~\$(~~(2,316,000)~~)~~ 2,256,000 is for fiscal year 1982 and ~~\$(~~(2,363,000)~~)~~ 2,273,000 is for fiscal year 1983.

(c) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$32,544,000 (~~(and 775.0 FFE staff years)~~) for the Fircrest School to operate at a biennial average daily population of 491;

(ii) \$15,264,000 (~~(and 386.0 FFE staff years)~~) for the Interlake School to operate at a biennial average daily population of 248;

(iii) \$34,237,000 (~~(and 801.0 FFE staff years)~~) for the Rainier School to operate at a biennial average daily population of 531;

(iv) \$24,651,000 (~~(and 574.0 FFE staff years)~~) for Lakeland Village to operate at a biennial average daily population of 359;

(v) \$10,020,000 (~~(and 243.0 FFE staff years)~~) for the Yakima Valley School to operate at a biennial average daily population of 148;

(vi) \$3,921,000 (~~(and 94.0 FFE staff years)~~) for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and

(vii) \$1,117,000 (~~(and 23.0 FFE staff years)~~) for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 46. Section 52, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((175,951,000))
		169,475,000
General Fund Appropriation—Federal	\$	((175,951,000))
		169,527,000
Total Appropriation	\$	((351,902,000))
		339,002,000

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 47. Section 53, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((329,489,000))
		308,220,000
General Fund Appropriation—Federal	\$	((342,795,000))
		319,215,000

Total Appropriation \$ ~~((672,284,000))~~
627,435,000

The appropriations in this section are subject to the following conditions and limitations:
 ((2)) (1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

((3)) (2) \$~~((53,428,000))~~ 45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

((4)) (3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

((5)) (4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

((6)) (5) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$44,220,000 from federal funds for energy assistance;
- (b) \$61,220,000 from federal funds for Indochinese refugees;
- (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
- (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
- (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
- (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
- (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
- (h) \$2,116,000 from the state general fund for burial assistance;
- (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
- (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 48. Section 54, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State \$ ~~((137,474,000))~~
135,974,000
 General Fund Appropriation—Federal \$ ~~((69,318,000))~~
61,049,000
 General Fund Appropriation—Local \$ 105,000
 Total Appropriation \$ ~~((206,897,000))~~
197,128,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$~~((42,000,000))~~ 45,868,000 of which \$~~((49,566,000))~~ 16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW 74.08.540, and for the support of programs utilizing volunteers to provide chore services. Of that amount, \$~~((29,200,000))~~ 28,568,000 is provided for a limited chore service program in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. \$12,800,000 is provided for chore services to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program.

(2) \$1,698,000 is provided solely for the provision of chore services on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

(3) \$1,226,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

(4) ~~\$(14,960,000)~~ 14,330,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

(5) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

(6) \$1,335,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

(7) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 49. Section 55, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State.....	\$	((274,462,000))
		246,389,000
General Fund Appropriation—Federal.....	\$	((206,907,000))
		212,923,000
Total Appropriation.....	\$	((481,369,000))
		459,312,000

The appropriations in this section are subject to the following conditions or limitations:

(1) ~~\$(50,000,000)~~ 43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) ~~\$(39,144,000)~~ 34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

~~((5))~~ (4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

Sec. 50. Section 56, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State.....	\$	((30,434,000))
		32,938,000
General Fund Appropriation—Federal.....	\$	((56,635,000))
		50,028,000
General Fund Appropriation—Local.....	\$	((1,473,000))
		2,842,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Appropriation.....	\$	10,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979		

ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess.

(Referendum 38)—Reappropriation	\$	19,900,000
Total Reappropriation	\$	19,900,000
Total New Appropriation	\$	(98,542,000)
		85,323,000
Total Appropriation	\$	(+18,442,000)
		115,708,000

((FTE Staff Years—Fiscal Year 1982	427.0
FTE Staff Years—Fiscal Year 1983	427.0

The appropriations in this section are subject to the following condition or limitation: \$40,000 of the general fund—state appropriation is provided solely for an epidemiological study on the incident of multiple sclerosis in Lincoln and Spokane counties:)

Sec. 51. Section 57, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	(9,648,000)
		16,154,000
General Fund Appropriation—Federal	\$	(45,351,000)
		27,468,000
Total Appropriation	\$	(54,999,000)
		43,622,000

((FTE Staff Years—Fiscal Year 1982	335.5
FTE Staff Years—Fiscal Year 1983	335.5)

Sec. 52. Section 58, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	(68,798,000)
		63,017,000
General Fund Appropriation—Federal	\$	(44,200,000)
		44,191,000
General Fund—Institutional Impact Account Appropriation	\$	(600,000)
		75,000
Total Appropriation	\$	(+13,598,000)
		107,283,000

((FTE Staff Years—Fiscal Year 1982	1,417.0
FTE Staff Years—Fiscal Year 1983	1,417.5)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((525,000 of the general fund—institutional impact account appropriation shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature:~~

~~(2) If Second Substitute House Bill No. 235 is enacted during the 1981 regular session of the legislature, there shall be transferred to the department of corrections an amount of the general fund—state appropriation and FTE staff years provided in this section, the exact amount to be negotiated by the secretary of social and health services and the secretary of corrections, with the approval of the director of financial management. The transferred appropriation shall not exceed \$4,252,000.~~

~~(3)) \$((4,186,000)) 3,187,000 of the general fund—state appropriation ((and 50.0 FTE staff years are)) is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and health services. This project is subject to the following conditions:~~

~~(a) By ((January 15)) October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.~~

~~(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By ((January 15)) October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.~~

~~(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.~~

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

~~((4) 19.0 FTE staff years shall be added to fiscal year 1983 for nursing home audits if Substitute Senate Bill No. 3765 is enacted during the 1981 regular session of the legislature.~~

(5)) (2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

((6)) (3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

Sec. 53. Section 59, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((102,812,000))
		102,651,000
General Fund Appropriation—Federal	\$	((139,494,000))
		127,224,000
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((242,354,000))
		229,923,000
((FTE Staff Years—Fiscal Year 1982		4,274.9
FTE Staff Years—Fiscal Year 1983		4,361.3))

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((255.0 FTE staff years are provided solely to increase the diversion capabilities of the employment and training program.))~~ The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

~~((6) \$5,481,000 (of which \$2,741,000 is from federal funds) shall revert to the general fund if Substitute Senate Bill No. 3765 is enacted during the 1981 regular session of the legislature.~~

~~((7) \$565,000 (of which \$282,000 is from federal funds) shall be transferred to the department of social and health services—administration and supporting services program if Substitute Senate Bill No. 3765 is enacted during the 1981 regular session of the legislature.))~~

Sec. 54. Section 61, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((15,263,000))
		14,727,000
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((17,759,000))
		17,223,000
((FTE Staff Years—Fiscal Year 1982		371.1
FTE Staff Years—Fiscal Year 1983		371.1))

Sec. 55. Section 62, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((5,270,000))
		4,226,000
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((33,422,000))
		32,378,000
((FTE Staff Years—Fiscal Year 1982		85.0
FTE Staff Years—Fiscal Year 1983		85.0))

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

~~((4))~~ (3) ~~\$(1,891,000)~~ 1,132,000 of the general fund—state appropriation is provided solely for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster. ~~((If necessary, a portion of the funds provided in this subsection may be spent prior to July 1, 1981:))~~

Sec. 56. Section 63, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State.....	\$	((2,769,000))
		2,488,000
General Fund Appropriation—Federal.....	\$	517,000
Total Appropriation.....	\$	((3,286,000))
		3,005,000
((FTE Staff Years—Fiscal Year 1982.....		47.2
FTE Staff Years—Fiscal Year 1983.....		44.5))

Sec. 57. Section 66, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State.....	\$	((6,523,000))
		5,862,000
General Fund—Crime Victims' Compensation Account Appropriation.....	\$	160,000
Accident Fund Appropriation—State.....	\$	39,401,000
Accident Fund Appropriation—Federal.....	\$	366,000
Electrical License Fund.....	\$	7,381,000
Medical Aid Fund Appropriation.....	\$	33,619,000
Plumbing Certificate Fund.....	\$	283,000
Pressure Systems Safety Fund.....	\$	827,000
Total Appropriation.....	\$	((88,560,000))
		87,899,000
((FTE Staff Years—Fiscal Year 1982.....		1,400.9
FTE Staff Years—Fiscal Year 1983.....		1,417.0))

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) ~~\$(1,100,000)~~ 1,094,000 of the general fund—state appropriation ~~((and 37.2 FTE staff years are))~~ is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$632,000 of the general fund—state appropriation ~~((and 2.0 FTE staff years are))~~ is provided solely for victims of crime pension benefit payments.

Sec. 58. Section 67, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation.....	\$	((2,446,000))
		2,198,000
((FTE Staff Years—Fiscal Year 1982.....		29.0
FTE Staff Years—Fiscal Year 1983.....		29.0))

Sec. 59. Section 68, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State.....	\$	((549,000))
		489,000
General Fund Appropriation—Federal.....	\$	((+32,000))
		128,000
General Fund—Hospital Commission Account Appropriation.....	\$	915,000
Total Appropriation.....	\$	((+596,000))
		1,532,000
((FTE Staff Years—Fiscal Year 1982.....		20.3
FTE Staff Years—Fiscal Year 1983.....		19.8))

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 60. Section 69, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State.....	\$	((2,270,000))
		2,050,000
General Fund Appropriation—Federal.....	\$	158,908,000
General Fund Appropriation—Local.....	\$	23,571,000
Administrative Contingency Fund Appropriation—Federal.....	\$	2,231,000
Unemployment Compensation Administration Fund Appropriation.....	\$	93,132,000
Total Appropriation.....	\$	((280,112,000))
		279,892,000
((FTE Staff Years — Fiscal Year 1982.....		2,813.1
FTE Staff Years — Fiscal Year 1983.....		2,759.9)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((900,000))~~ 729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Sec. 61. Section 70, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State.....	\$	((2,746,000))
		2,468,000
General Fund Appropriation—Federal.....	\$	5,254,000
Total Appropriation.....	\$	((8,000,000))
		7,722,000
((FTE Staff Years — Fiscal Year 1982.....		71.0
FTE Staff Years — Fiscal Year 1983.....		70.5)

Sec. 62. Section 71, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation.....	\$	((390,000))
		350,000
General Fund—Local Jail Improvement and Construction Account Appropriation.....	\$	511,000
Total Appropriation.....	\$	((901,000))
		861,000
((FTE Staff Years — Fiscal Year 1982.....		9.0
FTE Staff Years — Fiscal Year 1983.....		9.0)

Sec. 63. Section 72, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State.....	\$	((1,300,000))
		1,105,000
General Fund Appropriation—Federal.....	\$	((4,720,000))
		4,641,000
Total Appropriation.....	\$	((6,020,000))
		5,746,000
((FTE Staff Years — Fiscal Year 1982.....		49.9
FTE Staff Years — Fiscal Year 1983.....		28.8)

Sec. 64. Section 73, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation.....	\$	((76,000))
		68,000

Sec. 65. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State.....	\$	((20,093,000))
		18,057,000
General Fund Appropriation—Federal.....	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation.....	\$	35,000

General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	((211,280,000))
		209,244,000
Total Appropriation	\$	((284,277,000))
		282,241,000
((FTE Staff Years—Fiscal Year 1982		509.5
FTE Staff Years—Fiscal Year 1983		512.1))

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) ~~\$(+306,000)~~ 1,106,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

(7) The department shall expend no funds for a wastewater outfall operated by a metropolitan municipal corporation that would discharge into the waters of Puget Sound at any point south of the location commonly known as Duwamish Head.

Sec. 66. Section 75, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((658,000))
		<u>591,000</u>
((FTE Staff Years — Fiscal Year 1982		7.0
FTE Staff Years — Fiscal Year 1983		7.0))

Sec. 67. Section 76, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((27,511,000))
		<u>25,019,000</u>
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	((5,854,000))
		<u>5,498,000</u>
General Fund—Winter Recreation Parking Account Appropriation	\$	((139,000))
		<u>64,000</u>
General Fund—Outdoor Recreation Account Appropriation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	((35,392,000))
		<u>32,469,000</u>
((FTE Staff Years — Fiscal Year 1982		553.3
FTE Staff Years — Fiscal Year 1983		553.4))

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of ~~\$(+155,000 is provided solely)~~ 140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) ~~\$(+178,000)~~ 104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of ~~\$(239,000)~~ 193,000 may be expended for a lifeguard program.

(4) A maximum of ~~\$(90,000)~~ 80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) ~~\$(870,000 is provided solely)~~ 700,000 may be expended for facility maintenance.

(7) ~~\$(221,000 is provided solely)~~ 162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) ~~((If House Bill No. 386 is not enacted during the 1981 regular session of the legislature, the winter recreation parking account appropriation shall be reduced to \$64,000.~~

~~9))~~ \$(+100,000) 75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

~~((+10))~~ (9) ~~\$(+196,000 is provided solely for the St. Edwards facility. These moneys shall be expended to put the facility in an operable condition.)~~ \$36,000 of this general fund — state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

~~((+11))~~ (10) ~~\$(55,000 is provided solely)~~ 15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

Sec. 68. Section 78, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((344,000))
		<u>309,000</u>
General Fund Appropriation—Federal	\$	((5,136,000))
		<u>205,000</u>
Total Appropriation	\$	((5,480,000))
		<u>514,000</u>
((FTE Staff Years — Fiscal Year 1982		8.0
FTE Staff Years — Fiscal Year 1983		8.0))

Sec. 69. Section 80, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((3,550,000))
		<u>8,190,000</u>

General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((4,336,000))
		8,976,000

((FTE Staff Years—Fiscal Year 1982	44.6
FTE Staff Years—Fiscal Year 1983	44.0))

Sec. 70. Section 81, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((38,582,000))
		34,672,000

General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account Appropriation	\$	27,000
Total Appropriation	\$	((46,259,000))
		42,349,000

((FTE Staff Years—Fiscal Year 1982	600.8
FTE Staff Years—Fiscal Year 1983	607.0))

The appropriations in this section are subject to the following condition or limitation: ~~\$((234,000))~~ 211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 71. Section 83, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((23,616,000))
		21,418,000

General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	1,711,000
General Fund—Forest Development Account Appropriation	\$	16,669,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire Suppression Account		

Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account Appropriation	\$	49,977,000
Total Appropriation	\$	((95,619,000))
		93,421,000

((FTE Staff Years—Fiscal Year 1982	1,512.4
FTE Staff Years—Fiscal Year 1983	1,533.5))

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) ~~(\$2,221,000 of the general fund—state appropriation is provided solely)~~ A maximum of \$1,997,000 shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) A maximum of ~~\$((2,038,000))~~ 1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program.

(5) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

(6) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 72. Section 84, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((9,401,000))
		8,475,000

General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Appropriation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000

Total Appropriation	\$	((29,359,000))
		28,433,000

~~((FTE Staff Years — Fiscal Year 1982 807.4
FTE Staff Years — Fiscal Year 1983 814.7))~~

The appropriations in this section are subject to the following condition(s) and limitation(s): ~~((+)) If House Bill No. 252 is enacted during the 1981 regular session of the legislature, there shall be no hay and grain inspection fund appropriation.~~

~~((2)) A maximum of \$((15,000)) 13,000 of the general fund—state appropriation shall be expended for stalling control.~~

Sec. 73. Section 85, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((10,492,000))
		9,412,000
General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
((General Fund—Sanitarians' Licensing Account Appropriation	\$	20,000))
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((75,596,000))
		74,496,000

~~((FTE Staff Years — Fiscal Year 1982 1,209.6
FTE Staff Years — Fiscal Year 1983 1,205.7))~~

The appropriations in this section are subject to the following condition or limitation: ~~The sanitarians' licensing account appropriation is contingent on the enactment of House Bill No. 311 or Senate Bill No. 3314 during the 1981 regular session of the legislature.)~~

Sec. 74. Section 86, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((13,697,000))
		12,314,000
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((20,138,000))
		18,755,000

~~((FTE Staff Years — Fiscal Year 1982 266.5
FTE Staff Years — Fiscal Year 1983 266.5))~~

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 75. Section 87, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,567,801,000))
		2,583,966,000
General Fund—State Timber Tax Reserve Account	\$	4,000,000
((Common School Construction Fund Appropriation	\$	52,379,000))
Total Appropriation	\$	((2,624,260,000))
		2,587,966,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or ~~((percentages))~~ for those percentages for salary increases specified in this act: PROVIDED, That the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, entered

into prior to November —, 1981, for the 1982-83 school year that conflicts with provisions of this 1981 amendatory act may continue in effect.

(2) ((A maximum of \$1,308,315,000 of this appropriation may be expended in fiscal year 1982-83))

(3)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

((4)) (3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit; PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit; PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

((5)) (4)(a) For nonemployee related costs with each certificated staff unit determined under subsection ((4)) (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$((4,684)) 4,572 per staff unit in the 1981-82 school year and a maximum of \$((5,166)) 4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection ((4)) (3)(b) of this section, there shall be provided a maximum of \$((8,182)) 8,000 per staff unit in the 1981-82 school year and a maximum of \$((8,964)) 8,641 per staff unit in the 1982-83 school year.

((6)) (5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection ((4)) (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

((7)) (6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

((8)) (7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have

received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

((+9)) (8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

((+10)) (9) Not more than ~~\$(6,375,000)~~ 4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

Sec. 76. Section 92, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((+2,988,000))~~
152,352,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

(3) The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.

(4) A maximum of ~~((+24,936,000 for the 1981-82 school year and a maximum of \$80,977,000 for the 1982-83 school year))~~ \$83,742,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases and concomitant incremental fringe benefits. Percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((+7))~~ (8) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document 2.

~~((+4))~~ (5) A maximum of ~~((+5,457,000 for the 1981-82 school year and a maximum of \$18,136,000 for the 1982-83 school year))~~ \$18,910,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases and concomitant incremental fringe benefits. Percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((+7)(b))~~ (8)(b) of this section, shall not exceed the percentages specified in LEAP Document 2.

~~((+5))~~ (6) A maximum of ~~((+34,837,000))~~ \$34,430,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.

~~((+6))~~ (7) A maximum of ~~((+4,936,000 may be expended in fiscal year 1982 and \$13,715,000 for fiscal year 1983))~~ \$15,270,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective January 1, 1983, and insurance benefit increases at the same rate as provided in subsection ~~((+5))~~ (6) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

~~((+7))~~ (8) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document 2 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) ~~((insurance benefit increases granted employees shall constitute a portion of the salary increase specified in LEAP Document 2 whenever a district's contribution to employee insurance benefits will exceed;~~

by virtue of increases provided in 1981-82 or 1982-83, \$121 per full-time equivalent staff unit in 1981-82 and \$137 per full-time equivalent staff unit in 1982-83)) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full-time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document 2: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full-time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document 2.

(ii) \$137 per full-time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document 2: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full-time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document 2.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

(9) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 or 1981-82 school year as long as the average salary for the 1981-82 school year does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 school year.

(10) The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983.

(11) Notwithstanding any other provisions of law, no employee whose salary exceeds thirty-five thousand dollars per year may receive further increase from these funds, nor shall any employee whose salary is less than thirty-five thousand dollars exceed that figure as a result of further increases from these funds. Any savings created by such action shall be expended only for nonemployee related items.

Sec. 77. Section 94, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ ((185,828,000))
 147,300,000

The appropriation in this section is subject to the following conditions and limitations:

((1)) The superintendent of public instruction shall not distribute more than \$89,978,000 to local school districts for pupil transportation during the 1981-82 state fiscal year.

((2)) (1) A maximum of \$842,000 may be expended for regional transportation coordinators.

((3)) (2) A maximum of \$74,000 may be expended for driver training.

((4)) (3) (a) If House Bill No. 711 is enacted during the 1981 regular session of the legislature, activities eligible for state reimbursement in the 1982-83 school year are as follows:

(i) Handicapped student transportation;

(ii) Transportation of students to and from the nearest or next-nearest school in accordance with RCW 28A.41.160(1) as amended by Engrossed Substitute House Bill No. 711;

(iii) Costs of acquisition of approved transportation equipment in accordance with RCW 28A.41.160(2);

(iv) Transportation of students to and from two or more locations during the school day when necessary for the student to pursue his or her course of study: PROVIDED, That field trips and extracurricular transportation shall not be funded under this section.

(b) The superintendent of public instruction shall transfer \$6,000,000 from this appropriation to the appropriation provided for block grants in section 100 of this act if Engrossed Substitute House Bill No. 711 is enacted during the 1981 regular session of the legislature and if, on or after October 1, 1982, the superintendent certifies to the governor that its enforcement was not subject to a permanent or preliminary injunction at any time during the previous thirty days.

Sec. 78. Section 95, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation \$ ((43,134,000))
 41,168,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of ((9,960)) 9,561 full-time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of ((10,310)) 9,905 full-time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

Sec. 79. Section 96, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State \$ ((7,157,000))
 6,432,000
 General Fund Appropriation—Federal \$ 69,744,000

Total Appropriation \$ ~~((76,901,000))~~
76,176,000

Sec. 80. Section 97, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State \$ ~~((121,294,000))~~
119,921,000
 General Fund Appropriation—Federal \$ 27,200,000
 Total Appropriation \$ ~~((148,494,000))~~
147,121,000

The appropriations in this section are subject to the following conditions and limitations:

~~((1)) A maximum of \$68,026,000 of the general fund—state appropriation may be expended in fiscal year 1981-82.~~

~~((2)) (1) For the 1981-82 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3.~~

~~((3)) (2) For the 1982-83 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3 (Revised).~~

~~(3) Communication disordered, specific learning disabled, and behaviorally disabled students may be served from funds appropriated for the block grant program under section 100 of this act.~~

Sec. 81. Section 99, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State \$ ~~((4,435,000))~~
3,986,000
 State Funding Sources \$ 3,373,000
 Total Appropriation \$ ~~((7,808,000))~~
7,359,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$(562,000)) 505,000	\$562,000
E.S.D. No. 105	\$(539,000)) 484,000	\$269,000
E.S.D. No. 112	\$(453,000)) 407,000	\$453,000
E.S.D. No. 113	\$(483,000)) 434,000	\$483,000
E.S.D. No. 114	\$(416,000)) 374,000	\$208,000
E.S.D. No. 121	\$(396,000)) 356,000	\$396,000
E.S.D. No. 123	\$(525,000)) 472,000	\$262,000
E.S.D. No. 171	\$(642,000)) 577,000	\$321,000
E.S.D. No. 189	\$(419,000)) 377,000	\$419,000
Total	\$(4,435,000)) 3,986,000	\$3,373,000

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 82. Section 100, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State \$ ~~((109,770,000))~~
109,160,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981-82 (~~school~~) fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980-81 school year using the

following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$60,289,000 may be expended for the 1982-83 (~~school~~) fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's (~~derived-base~~) recognized basic education average certificated salary to the state-wide average (~~derived-base~~) recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981-82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

Sec. 83. Section 107, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$ ((398,428,000))
	<u>378,408,000</u>
General Fund Appropriation—Federal	\$ 271,000
Total Appropriation	\$ ((398,699,000))
	<u>378,679,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$8,380,007 is provided solely for the replacement and repair of instructional equipment:~~

(~~2~~)) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

((~~3~~)) (2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) In making reductions, the Board shall reduce by eight percent the amount of state general fund moneys allocated to travel.

Sec. 84. Section 108, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$ ((295,111,000))
	<u>280,102,000</u>
Accident Fund Appropriation	\$ 1,027,000
Medical Aid Fund Appropriation	\$ 1,027,000
University of Washington Building Account Appropriation	\$ 55,355,000
Total Appropriation	\$ ((352,520,000))
	<u>337,511,000</u>

The appropriations in this section are subject to the following conditions or limitations: \$1,600,000 is provided solely for family medicine education. In making reductions, the university shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 85. Section 109, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$ ((186,400,000))
	<u>172,832,000</u>
Washington State University Building Account Appropriation	\$ ((14,000,000))
	<u>18,200,000</u>
Total Appropriation	\$ ((200,400,000))
	<u>191,032,000</u>

The appropriations in this section are subject to the following conditions or limitations: A maximum of \$380,000 may be expended for federal matching purposes for the small business development center. In making reductions, the university shall reduce by thirty percent the amount of state general fund moneys

allocated to travel: PROVIDED, That no reduction in the state general fund moneys allocated to the cooperative extension service program or the Agriculture Research Stations for travel shall be made.

Sec. 86. Section 110, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((58,956,000))
		54,417,000
Eastern Washington University Capital Projects Account Appropriation	\$	((1,666,000))
		2,066,000
Total Appropriation	\$	((60,622,000))
		56,483,000

The appropriations in this section are subject to the following condition or limitation: In making reductions, the university shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 87. Section 111, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((52,154,000))
		48,852,000
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((53,820,000))
		50,518,000

The appropriations in this section are subject to the following condition or limitation: In making reductions, the university shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 88. Section 112, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((26,575,000))
		25,247,000

The appropriations in this section are subject to the following condition or limitation: In making reductions, the college shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 89. Section 113, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((63,130,000))
		58,362,000
Western Washington University Capital Projects Account Appropriation	\$	((1,666,000))
		3,102,000
Total Appropriation	\$	((64,796,000))
		61,464,000

The appropriations in this section are subject to the following condition or limitation: In making reductions, the university shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 90. Section 115, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((22,788,000))
		20,478,000
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((26,472,000))
		24,162,000

The appropriations in this section are subject to the following condition((s)) and limitation((s)):

~~((1)) The displaced homemakers program will be continued contingent on passage of House Bill No. 286.~~

(2)) \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

In making reductions the council shall reduce by thirty percent the amount of state general fund moneys allocated to travel.

Sec. 91. Section 116, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((142,000))
		128,000
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((150,000))
		136,000

Sec. 92. Section 118, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,930,000))
		1,734,000
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((29,087,000))
		28,891,000

~~((FTE Staff Years Fiscal Year 1982 53.0~~
~~FTE Staff Years Fiscal Year 1983 53.0))~~

The appropriations in this section are subject to the following condition(s) and limitation(s): ((+))
 No state funds may be used by the advisory council for vocational education.

Sec. 93. Section 119, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

General Fund Appropriation	\$	((+50,000))
		<u>135,000</u>
Higher Education Personnel Board Service Fund Appropriation	\$	((+350,000))
		<u>1,214,000</u>
Total Appropriation	\$	((+500,000))
		<u>1,349,000</u>
((FTE Staff Years Fiscal Year 1982 26.2		
FTE Staff Years Fiscal Year 1983 16.2))		

The appropriations in this section are subject to the following condition or limitation: \$((+50,000))
135,000 and 10.0 FTE staff years are provided for developing a classification plan for the common school
 classified employees. The plan shall be completed no later than June 30, 1982, for use in the 1982-83 school
 year.

Sec. 94. Section 120, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State	\$	((7,195,000))
		<u>6,466,000</u>
General Fund Appropriation—Federal	\$	<u>2,147,000</u>
General Fund Appropriation—Private/Local	\$	<u>168,000</u>
Washington Library Network Computer System Revolving Fund Appropria- tion—Private/Local	\$	<u>5,417,000</u>
Total Appropriation	\$	((+4,927,000))
		<u>14,198,000</u>
((FTE Staff Years Fiscal Year 1982 169.4		
FTE Staff Years Fiscal Year 1983 169.4))		

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of
 which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is
 necessary to maintain current service levels and expand the radio reading service to Spokane, shall be
 expended for the library for the blind and physically handicapped.

Sec. 95. Section 121, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((+367,000))
		<u>1,228,286</u>
General Fund Appropriation—Federal	\$	<u>893,000</u>
Total Appropriation	\$	((2,260,000))
		<u>2,121,286</u>
((FTE Staff Years Fiscal Year 1982 9.0		
FTE Staff Years Fiscal Year 1983 9.0))		

The appropriations in this section are subject to the following condition or limitation: \$((750,000))
679,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 96. Section 122, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((602,000))
		<u>541,000</u>
((FTE Staff Years Fiscal Year 1982 12.0		
FTE Staff Years Fiscal Year 1983 12.0))		

The appropriation in this section is subject to the following condition or limitation: \$((30,000)) 27,000
 is provided solely for a state historical monument to recognize the World War II internment of Japanese-
 Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may
 be expended to the extent that at least twenty-five percent of the total cost of the project authorized is
 obtained from federal, local, or private sources.

Sec. 97. Section 123, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((505,000))
		<u>454,000</u>
((FTE Staff Years Fiscal Year 1982 11.6		
FTE Staff Years Fiscal Year 1983 11.6))		

Sec. 98. Section 124, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((444,000))
		<u>399,000</u>

General Fund—State Capitol Historical Association Museum Account	
Appropriation	\$ 53,000
Total Appropriation	\$ ((497,000))
	<u>452,000</u>
((FTE Staff Years—Fiscal Year 1982	8.1
FTE Staff Years—Fiscal Year 1983	8.1))

Sec. 99. Section 125, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000	\$ 1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969	\$ 40,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1981, through June 30, 1983	\$ 3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981–1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$ 697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$ 17,794,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$ 2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$((500,000)) <u>856,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$ ((500,000))
	<u>856,000</u>

Sec. 100. Section 127, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Architectural Woods, Inc., Payment of interest on judgment	\$ 10,338.89
(2) The Gerald B. Coburn estate, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$ 1,000.00
(3) Phil Louis Deiro, Payment for personal injuries resulting while confined at Northern State Hospital	\$ 28,000.00
(4) Rudolfo Gutierrez, Payment of expenses in State v. Gutierrez, pursuant to RCW 9.01.200	\$ 1,230.00
(5) Don G. Hendrickson, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$ 1,736.00
(6) David Hug, Payment of expenses in State v. Hug, pursuant to RCW 9.01-.200	\$ 4,053.00
(7) Martin Buchanan	\$ 782.64
Richard Czyhold	\$ 669.31
James F. Farrel	\$ 178.80
Dean Farrrens	\$ 3,085.29
Arne Filan	\$ 6,786.75
Leon Filan	\$ 473.58
Elic Ganguet	\$ 251.71
Morris Ganguet Farms, Inc.	\$ 809.43
Earnest Katsel	\$ 423.00
Andrew Lyons	\$ 132.76
Donald D. Meiners	\$ 2,967.58
Schwerin Farms, Inc.	\$ 464.40

Howard Smith	\$	567.45
Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund.		
(8) Foster, Pepper and Riviera Trust Account, Payment of costs in Seattle School District v. State	\$	5,346.71
(9) Melvina A. Shafer, Payment for personal property stolen during liquor store robbery: PROVIDED, That payment shall be made from the Liquor Revolving Fund	\$	1,129.13
(10) Jeremiah B. Sexton, Payment for personal property stolen during liquor store robbery: PROVIDED, That payment shall be made from the Liquor Revolving Fund	\$	1,100.00
(11) J. C. Dellinger, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	3,564.00
(12) Better Building Supply Corp., Payment of Stipulation # 78-2-00277-1	\$	16,463.00
(13) Garland Sponburgh	\$	10,303.82
Jack C. Hood	\$	14,491.98
Leroy M. Hittle	\$	14,491.98
Don Eldridge	\$	14,491.98
Payment of legal fees incurred in the defense of court actions brought against them while performing their duties as members of the state liquor control board: PROVIDED, That payment shall be made from the Liquor Revolving Fund.		
(14) Penelope A. Morgan, Payment for compensation as a victim of crime, notwithstanding late filing of claim	\$	20,160.00
(15) Ruth Hammond, Payment of vehicle license refund for destroyed vehicle	\$	39.58
(16) Malcolm Seater O'Brien, Payment of a judgment in State v. O'Brien, pursuant to RCW 9.01.200	\$	3,416.00
(17) Eugene Victor Fischer, In settlement of all claims for expenses in State v. Fischer, pursuant to RCW 9.01.200	\$	10,000.00
(18) Donald W. Rustvold, Payment of expenses in City of Bellevue v. Donald W. Rustvold, pursuant to RCW 9.01.200	\$	1,400.00
(19) The Evergreen State College, Reimbursement of interest and court costs paid in Architectural Woods, Inc. v. State of Washington	\$	12,097.00
(20) Department of Social and Health Services, Payment for claims outstanding submitted to the department after the 60-day statutory limit: PROVIDED, That such claims shall be paid at 50.0% of their approved value: PROVIDED FURTHER, That \$60,957 shall be from federal sources	\$	((+171,124.00)) 1,047,000.00
(21) United Nursing Homes and Arlington Convalescent Center, payment of a judgment in Thurston County Superior Court causes nos. 55007 and 55613	\$	346,813.00

Sec. 101. Section 37, chapter 67, Laws of 1981 (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred ((twenty)) eight thousand dollars, or so much thereof as may be necessary.

Sec. 102. Section 2, chapter 69, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of one million ((five hundred)) three hundred fifty thousand dollars, or so much thereof as may be necessary, to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition: PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility.

Sec. 103. Section 123, chapter 136, Laws of 1981 (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$((5,090,000)) 372,565 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 104. Section 42, chapter 137, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of six hundred ((eighty-five)) sixteen thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 105. Section 1, chapter 159, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated from the general fund for the biennium ending June 30, 1983, to the employment security department, the sum of ~~((ten))~~ nine thousand dollars, or so much thereof as may be necessary, for the veterans service section of the employment security department to conduct employer awareness seminars to insure private employer knowledge and support for veterans' employment programs. These seminars shall be coordinated with the department of veterans affairs. At least one seminar shall have direct impact upon incarcerated veterans.

Sec. 106. Section 16, chapter 268, Laws of 1981 (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of ~~\$(287,000))~~ 258,000.

Sec. 107. Section 6, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((13,433,985))
		<u>12,062,761</u>
Motor Vehicle Fund— <u>State Patrol Highway Account</u> Appropriation—		
State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((103,834,800))
		<u>102,463,576</u>

The appropriations contained in this section are subject to the following condition(s) and limitation(s): ~~((+))~~ The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

~~((2) If either Substitute Senate Bill No. 3357 or Substitute Senate Bill No. 4283 is enacted during the 1981 regular session of the legislature, the motor vehicle fund appropriation shall be made from the state patrol highway account in the motor vehicle fund.~~

~~((3) If House Bill No. 603 is enacted during the 1981 session of the legislature, the general fund state appropriation contained in this section shall be reduced by \$1,064,000.)~~

Sec. 108. Section 7, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation—State	\$	390
General Fund Appropriation—State	\$	((3,150))
		<u>2,520</u>
Motor Vehicle Fund— <u>Puget Sound Capital Construction Account</u> Appropria-		
tion—State	\$	22,380
Motor Vehicle Fund— <u>Puget Sound Ferry Operations Account</u> Appropria-		
tion—State	\$	49,710
Motor Vehicle Fund Appropriation—State	\$	324,370
Total Appropriation	\$	((400,000))
		<u>399,370</u>

The appropriations contained in this section are contingent on the enactment of House Bill No. 75 during the 1981 regular session of the legislature. If House Bill No. 75 is enacted, the transportation commission shall submit to the legislative transportation committee prior to December 15, 1981, a detailed six-year plan for implementing House Bill No. 75. Upon legislative transportation committee approval of the plan, the department of transportation may transfer from any motor vehicle fund appropriation contained in sections 9 through 19 of this act sufficient amounts to implement the plan. ~~((If House Bill No. 75 is not enacted during the 1981 regular session of the legislature, \$300,000 of this appropriation may be expended for executive management under Programs S and Z, and \$100,000 of this appropriation may be expended for highway construction under Program B:))~~

Sec. 109. Section 8, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation—State	\$	8,722
General Fund Appropriation—State	\$	((74,000))
		<u>59,200</u>
Motor Vehicle Fund— <u>Puget Sound Capital Construction Account</u> Appropria-		
tion—State	\$	525,462
Motor Vehicle Fund— <u>Puget Sound Ferry Operations Account</u> Appropria-		
tion—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,467,240))
		<u>16,452,440</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 110. Section 17, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

- (1) Prepare sites for commercial leases and land development projects.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	2,541,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
965,000	1,578,000	5,084,000

(2) Provide equipment repair and vehicle storage facility, Clearwater Correction Center Annex.

	Reappropriation	Appropriation
GF, CEP & RI Acct	268,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
268,300		536,300

(3) Construct roads and bridges to state land, Cavanaugh Block Access.

	Reappropriation	Appropriation
GF, For Dev Acct	450,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
25,000		475,000

(4) Develop irrigation for state land, Black Rock Project.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	206,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
84,000		290,000

(5) Improve road for timber sales activities, Elbe Hills Betterment.

	Reappropriation	Appropriation
GF, For Dev Acct	300,000	
GF, Res Mgmt Cost Acct	135,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
105,000		540,000

(6) Acquire recreational property on Mt. Si.

	Reappropriation	Appropriation
GF, ORA—State	200,000	
GF, ORA—Federal	200,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,400,000		1,800,000

(7) Replace existing water system at department of natural resources Lacey compound.

	Reappropriation	Appropriation
General Fund—State		16,000
GF, Res Mgmt Cost Acct		34,000

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		50,000
(8) Purchase land for resource management, Natural Resources Land Bank.		
	Reappropriation	Appropriation
GF, For Dev Acct		2,000,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,000,000	4,000,000	7,000,000
(9) Construct and improve roads and bridges, management ponds.		
	Reappropriation	Appropriation
GF, For Dev Acct		240,000
GF, Res Mgmt Cost Acct	1,273,000	929,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
193,000	4,000,000	6,958,000
(10) Develop irrigation projects on state-owned land.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct	2,742,000	4,899,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
2,968,000	12,000,000	22,609,400
(11) Acquire rights-of-way access for land management.		
	Reappropriation	Appropriation
GF, For Dev Acct		169,000
GF, Res Mgmt Cost Acct		676,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,600,000	3,311,000
(12) Construct boat launch ramp and breakwater, Marine Research Center.		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		19,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		19,000
(13) Purchase culverts and other materials for honor camp road maintenance.		
	Reappropriation	Appropriation
GF, CEP & RI Acct		150,000
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81	Thereafter	
20,000	200,000	370,000

(14) Increase seedling quality and production, Forest Nursery.

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		110,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		310,000

(15) Improve forest fire protection facilities.

	Reappropriation	Appropriation
General Fund—State		49,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
15,000	40,000	104,000

(16) Provide access to potential commercial lease property, highway 18 interchange.

	Reappropriation	Appropriation
GF, For Dev Acct		250,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		250,000

(17) Construct access to road to state land, Rock Creek Road rehabilitation.

	Reappropriation	Appropriation
GF, For Dev Acct		250,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(18) Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
GF, ORV	507,000	429,000
GF, Snowmobile Acct		67,000
GF, ORA—State	99,000	310,000
GF, ORA—Federal	300,000	310,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
2,470,000	1,379,000	5,871,000

(19) Construct bridge and access road to state lands, McDonald Mainline.

	Reappropriation	Appropriation
GF, For Dev Acct		69,700
GF, Res Mgmt Cost Acct		135,300
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81

Thereafter

205,000

(20) Remodel five field buildings.

	Reappropriation	Appropriation
General Fund—State		27,000
GF, For Dev Acct		23,000
GF, Res Mgmt Cost Acct		46,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		96,000

(21) Acquire the Milwaukee Railroad right-of-way and existing bridges from Easton in Kittitas County to Tekoa in Whitman County; PROVIDED, That any funds not expended for this acquisition shall be retained by the department of natural resources for the purpose of acquiring dredge spoil sites on the Cowlitz, Coweeman and Toutle rivers.

	Reappropriation	Appropriation
GF, ORA—State		3,500,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		3,500,000

Sec. 111. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((815,570))
		652,456
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,352,479))
		22,189,365

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation and the legislative transportation committee.

Sec. 112. Section 10, chapter 330, Laws of 1981 (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of (~~one hundred~~) ninety thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of (~~eight million six hundred~~) seven million nine hundred fifty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 113. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 114. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*

On page 1, line 1 of the title, after "reductions in appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; making appropriations; amending section 2, chapter 340, Laws of 1981 (uncodified); amending section 3, chapter 340, Laws of 1981 (uncodified); amending section 4, chapter 340, Laws of 1981 (uncodified); amending section 5, chapter 340, Laws of 1981 (uncodified); amending section 6, chapter 340, Laws of 1981 (uncodified); amending section 7, chapter

Mr. Brown demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 811, and the motion was carried by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative McCormick.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 811 as amended by the Senate.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Chandler.

Mr. Chandler: "Representative McDonald, on page 75, line 12 of Engrossed Substitute House Bill 811, the language refers to LEAP Document No. 3 Revised. What is LEAP Document No. 3 Revised?"

Mr. McDonald: "LEAP Document No. 3 Revised is the staff entitlement work sheet that will be used to determine the funding levels of a school district's handicapped budget for the 1982/83 school year."

Mr. Chandler: "How does LEAP Document No. 3 Revised differ from the one in current use?"

Mr. McDonald: "The only difference is that the certificated instructional staff ratios have been reduced and the classified instructional support staff ratios have been increased. This reflects the policy that the state will not provide funding for staff that do not perform instructional duties as instructors. Examples of this is social workers, physical therapists and nurses. However, you should note that the ratios have been adjusted in such a way as not to reduce the total staff."

Mr. Struthers demanded an oral roll call vote on the passage of the bill, and the demand was sustained.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Warnke.

Mr. Warnke: "Representative McDonald, is this so-called LEAP 3 Document available for us?"

Mr. McDonald: "Yes, it is. I will get it for you."

Representatives Berleen, Bond, Nelson (G) and Chandler spoke in favor of passage of the bill, and Representatives Sommers, Heck, O'Brien, Stratton and Ehlers spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 811 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, James, Kaiser, King J., King

R., Kreidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative McCormick.

Engrossed Substitute House Bill No. 811 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

December 1, 1981

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 760.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Metcalf, Vognild, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller:

Requesting actions be filed in the Supreme Court against unsound monetary policies.

To Committee on Rules

REPORT OF STANDING COMMITTEE

December 1, 1981

HOUSE BILL NO. 804, Prime Sponsor: Representative Amen, repealing \$3.5 million appropriation for purchase of Milwaukee Railroad right-of-way. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, Thompson, Warnke.

Passed to Committee on Rules for second reading.

The Speaker declared the House recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker and McCormick. Representative McCormick was excused.

MESSAGE FROM THE SENATE

December 1, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 760,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

NOTICE OF RECONSIDERATION

Representative Bond, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 811 as amended by the Senate passed the House.

SECOND READING

HOUSE BILL NO. 804, by Representatives Amen, Barr, Flanagan, Prince, Taylor, Fancher, Clayton, Smith, Tilly, Struthers, Hastings and Padden:

Repealing \$3.5 million appropriation for purchase of Milwaukee Railroad right-of-way.

The bill was read the second time. On motion of Mr. Hastings, Substitute House Bill No. 804 was substituted for House Bill No. 804, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 804 was read the second time and passed to Committee on Rules for third reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 485.

THIRD READING

HOUSE BILL NO. 775, by Representative Eberle:

Clarifying the legislative district boundaries between the twenty-fourth and thirty-fifth legislative districts and legislative district 19-B.

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

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

POINT OF INQUIRY

Mr. Eberle yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Eberle, the address of 1441 Madronna Drive in Seattle—is it in the new 37th Legislative District?"

Mr. Eberle: "Representative Maxie, the answer is 'yes', according to the redistricting bill we passed last session."

Mr. Bender spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 775, and the bill passed the House by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Tupper, Valle, Walk, Wang.

Not voting: Representatives Becker, McCormick, Thompson, Warnke.

House Bill No. 775, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 775 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), ENGROSSED HOUSE BILL NO. 813 was rereferred to Committee on Rules.

POINT OF PARLIAMENTARY INQUIRY

Mr. Martinis: "Mr. Speaker, were the House Rules, and in particular, House Rule 13, violated by the House considering House Bill No. 804 on second reading? House Rule 13 says every measure should be read on three separate days and that when only five days remain before a session must end by law, this rule may be suspended by a majority vote. Mr. Speaker,

my point is that this is the twenty-third day of a thirty-day session and the exception in House Rule 13 does not pertain to House Bill 804. Therefore, the Chair has violated the rules."

SPEAKER'S RULING

The Speaker: "Representative Martinis, House Bill 804 is now in Rules for third reading. I understand the point you have raised, and had it been raised at the time, I would have sustained your challenge."

Mr. Martinis: "Mr. Speaker, my point then is that House Rule 13 has been violated by the Chair."

The Speaker: "Representative Martinis, If any member had raised the objection in a timely fashion, I would have sustained that objection."

Mr. Martinis: "Who put House Bill 804 before the body?"

The Speaker: "The Rules Committee."

Mr. Martinis: "Mr. Speaker, as a message to this body, the clear violation of Rule 13 is just another nail in the coffin."

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Wednesday, December 2, 1981.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, December 2, 1981.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Balise and Jana Steen. Prayer was offered by The Reverend Paul Beeman of First United Methodist Church of Olympia.

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

MESSAGES FROM THE GOVERNOR

December 1, 1981

To the Honorable,
The House of Representatives Of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to subsection 3 of section 4 of SECOND SUBSTITUTE HOUSE BILL NO. 557, entitled:

"AN ACT Relating to Medical Care."

Subsection 3 of section 4 would have established a new revolving fund under the control of the Department of Social and Health Services. Since the bill states no purpose for the new fund and since we are currently trying to reduce the number of separate funds, I have vetoed this provision.

With the exception of subsection 3 of section 4, Second Substitute House Bill No. 557 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor

December 1, 1981

To the Honorable,
The House of Representatives
Of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on December 1, 1981, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 773: Relating to management of state funds.

Sincerely,
Marilyn Showalter, Counsel.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 820, by Representatives Mitchell and Stratton:

AN ACT Relating to imitation controlled substances; adding a new chapter to Title 69 RCW; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 821, by Representatives Nisbet, Lundquist and Barr:

AN ACT Relating to business and occupation taxes; amending section 4, chapter 169, Laws of 1974 ex. sess. as amended by section 8, chapter 291, Laws of 1975 1st ex. sess. and RCW 82.04.443; adding a new section to chapter 79.01 RCW; and providing an effective date.

To Committee on Revenue

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

MOTION

On motion of Mr. Nelson (G), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative McCormick, who was excused.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 804, by Committee on Ways and Means (originally sponsored by Representatives Amen, Barr, Flanagan, Prince, Taylor, Fancher, Clayton, Smith, Tilly, Struthers, Hastings and Padden):

Repealing \$3.5 million appropriation for purchase of Milwaukee Railroad right-of-way.

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

Representatives Amen, Tilly, Flanagan, Prince and Clayton spoke in favor of passage of the bill, and Representatives Scott, King (R) and Kreidler spoke against it.

Representatives King (R) and Scott again opposed passage of the bill, and Mr. Flanagan spoke again in favor of it.

Mr. Smith spoke in favor of the bill, and Mr. Brown spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 804, and the bill passed the House by the following vote: Yeas, 52; nays, 44; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Garrett, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Dawson, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Granlund, Greengo, Grimm, Gruger, Heck, Hine, Kaiser, King J., Kreidler, Lundquist, Lux, Martinis, Maxie, McDonald, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives McCormick, Owen.

Substitute House Bill No. 804, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Nelson (G) moved that Substitute House Bill No. 804 be immediately transmitted to the Senate.

POINT OF ORDER

Mr. King (R): "I believe, Mr. Speaker, that my motion, a notice of reconsideration, would take precedence over the motion to immediately transmit. I was standing prior to the time your majority leader was standing."

⚡

SPEAKER'S RULING

The Speaker: "Representative King, so far the motion before us is the motion that Substitute House Bill 804 be immediately transmitted to the Senate. I have not, at this point, received any notice of reconsideration, so I would have to say that your point of order is not well taken. Do you wish to serve notice?"

NOTICE OF RECONSIDERATION

Mr. King (R), having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 804 passed the House.

SENATE AMENDMENTS TO HOUSE BILL

December 1, 1981

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 782** with the following amendments:

On page 1, line 9 after "The" strike "board of trustees" and insert "state board for community college education"

On page 1, line 14 after "When" strike "the" and insert "a district"

On page 1, line 17 after "by the" insert "state"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Teutsch, the House concurred in the Senate amendments to Substitute House Bill No. 782.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 782 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 782 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hastings, Houchen, Isaacson, James, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hankins, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representative McCormick.

Substitute House Bill No. 782 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

December 1, 1981

Mr. Speaker:

The Senate refuses to recede from its amendments to **ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 756**, insists upon its position, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Mitchell, the House concurred in the Senate amendments to Engrossed Second Substitute House Bill No. 756.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 756 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 756 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 37; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Cantu, Chamberlain, Chandler, Dawson, Fancher, Fiske, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, James, Johnson, Kaiser, Lewis, Lux, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders,

Schmidt, Sherman, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Bond, Brekke, Brown, Burns, Clayton, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Garrett, Gruger, Hine, Isaacson, King J., King R., Kreidler, Leonard, Lundquist, Martinis, Maxie, Nelson D., North, O'Brien, Padden, Rinehart, Salatino, Scott, Stratton, Taylor, Van Dyken, Wang, Warnke.

Not voting: Representative McCormick.

Engrossed Second Substitute House Bill No. 756 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I change my vote from "Aye" to "Nay" on Engrossed Second Substitute House Bill No. 756 as amended by the Senate on final passage.

MICHAEL PATRICK, 11th District.

MOTION FOR RECONSIDERATION

With the consent of the House, Mr. Bond withdrew his notice of reconsideration on Engrossed Substitute House Bill No. 811 as amended by the Senate.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 811.

RESOLUTIONS

HOUSE RESOLUTION NO. 81-95, by Representatives Bond, Fancher and Sanders:

WHEREAS, The members of the House of Representatives desire to have the black and white murals in these chambers removed and relocated; and

WHEREAS, The aforesaid members desire to have this accomplished prior to the regular session which will begin on January 11, 1982; and

WHEREAS, A Blue-Ribbon Committee has been formed to review the mural project and report back to the Speaker of the House with recommendations as to the future of the project; and

WHEREAS, It is very important that the Blue-Ribbon Committee understand the strong feelings about the murals existing in the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Blue-Ribbon Committee be requested to hold its final meeting in December rather than January as scheduled; and

BE IT FURTHER RESOLVED, That the committee submit its recommendations to the Speaker of the House prior to the end of December 1981.

Mr. Bond moved adoption of the resolution.

Mr. Nelson (D) moved adoption of the following amendment to the resolution:
On page 1, line 1 strike "The" and insert "Some"

Mr. Nelson (D) spoke in favor of the amendment, and Representatives Taylor, Eberle and Sanders spoke against it.

The amendment was adopted.

The Speaker stated the question before the House to be adoption of House Resolution No. 81-95 as amended.

Representatives Bond and Lundquist spoke in favor of the resolution, and Mr. O'Brien spoke against it.

MOTION FOR RECONSIDERATION

Mr. Bond, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment to House Resolution No. 81-95 was adopted.

Mr. King (R) spoke against the motion, and Mr. Nisbet spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the amendment to House Resolution No. 81-95, and the motion was lost by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Addison, Berleen, Bickham, Bond, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Fancher, Fiske, Garson, Greengo, Hastings, James, Leonard, Lewis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Rosbach, Sanders, Schmidt, Sprague, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Brekke, Brown, Burns, Cantu, Dickie, Ehlers, Erak, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Gruger, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Smith, Sommers, Stratton, Thompson, Valle, Van Dyken, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Eng, Lux, McCormick, Prince, Teutsch.

A division was called on adoption of House Floor Resolution No. 81-95 as amended.

ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 81-95 as amended, and the resolution was adopted by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Addison, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Brekke, Brown, Burns, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Grimm, Hine, Kaiser, King J., King R., Monohon, Nelson D., North, O'Brien, Rinehart, Salatino, Scott, Stratton, Teutsch, Walk, Warnke.

Not voting: Representatives Becker, Gruger, Lux, McCormick.

MOTION

On motion of Mr. Nelson (G), the House reverted to the third order of business.

MESSAGES FROM THE SENATE

December 2, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 485,
SUBSTITUTE HOUSE BILL NO. 811,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

December 2, 1981

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 775,
SECOND SUBSTITUTE HOUSE BILL NO. 788,
SUBSTITUTE SENATE BILL NO. 3398,
ENGROSSED SENATE BILL NO. 4421,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 822, by Committee on Appropriations - General Government and Representative Williams:

AN ACT Relating to secured transactions; amending section 9-402, chapter 157, Laws of 1965 ex. sess. as amended by section 26, chapter 41, Laws of 1981 and RCW 62A.9-402; amending section 9-403, chapter 157, Laws of 1965 ex. sess. as last amended by section 27, chapter 41, Laws of 1981 and RCW 62A.9-403; amending section 9-404, chapter 157, Laws of 1965 ex. sess. as last amended by section 28, chapter 41, Laws of 1981 and RCW 62A.9-404; amending section 9-405, chapter 157, Laws of 1965 ex. sess. as last amended by section 29, chapter 41, Laws of 1981 and RCW 62A.9-405; amending section 9-406, chapter 157, Laws of 1965 ex. sess. as last amended by section 30, chapter 41, Laws of 1981 and RCW 62A.9-406; amending section 9-407, chapter 157, Laws of 1965 ex. sess. as last amended by section 31, chapter 41, Laws of 1981 and RCW 62A.9-407; making an appropriation; providing an effective date; and declaring an emergency.

To Committee on Appropriations - General Government

SUBSTITUTE SENATE BILL NO. 3398, by Committee on Ways and Means (originally sponsored by Senator McDermott):

Providing a discount on property taxes for prompt payment.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and Substitute Senate Bill No. 3398 was advanced to second reading and placed on the second reading calendar.

ENGROSSED SENATE BILL NO. 4421, by Senators Gould, Bottiger and Zimmerman (by Executive request):

Authorizing an increase in the local option sales and use tax.

To Committees on Revenue and Local Government

COMMITTEE APPOINTMENTS

The Speaker appointed Representative King (R) to replace Representative McCormick and Representative McGinnis to replace Representative Vander Stoep on the Select Committee on Deregulation and Productivity.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3398, by Committee on Ways and Means (originally sponsored by Senator McDermott):

Providing a discount on property taxes for prompt payment.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers, Garrett, Flanagan, Thompson, Smith, King (R), Galloway and Rinehart spoke against passage of the bill, and Representatives Ellis, Chandler, Fiske, Greengo and Addison spoke in favor of it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Hine.

Ms. Hine: "Representative Ellis, I am concerned about the potential cost or benefits for local government. Would you explain to me what your response has been when you checked with various local governments and what their position is, and just what cost factor is involved for them?"

Mr. Ellis: "Representative Hine, I have checked with several counties. They gave me no direct cost figures. It would be my understanding that when the local counties do their tax statements they would simply add a line. They have to state exactly what your tax obligation is in the form and all they would do is simply add a line and show the three percent discount, and if you want to pay it that would be the exact amount you would pay. I can't see how it would be any more. It's probably just one more line on the form and perhaps a letter that they would send along encouraging the taxpayer to do it and telling him what the discount interest rate is. I don't think the impact on local government would be all that expensive. They have to get their tax statements out by February 15, and they have plenty of time to do it."

Ms. Hine: "Is it true then, that if they pay the discount, the total amount of taxes collected for their use might be, less? The only advantage would be they would get the use of some of the money earlier?"

Mr. Ellis: "Yes, that's correct. About two-thirds goes to the county, as I understand it, and if they didn't need the money, then they could invest it and I think in \$100,000 lots they are getting about 10.5% now. It would offset the cost. The state could do likewise."

Mr. Nisbet spoke against passage of the bill, and Mr. Isaacson spoke in favor of it.

Ms. Sommers again opposed passage of the bill, and Mr. Ellis again spoke in favor of it.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3398, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 48; not voting, 2.

Voting yea: Representatives Addison, Barnes, Barr, Berleen, Bond, Brown, Burns, Cantu, Chandler, Dawson, Eberle, Ellis, Eng, Fancher, Fiske, Galloway, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Leonard, Lundquist, Martinis, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, North, Padden, Patrick, Pruitt, Salatino, Sanders, Sprague, Taylor, Tilly, Tupper, Van Dyken, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barrett, Becker, Bender, Bickham, Brekke, Chamberlain, Clayton, Dickie, Ehlers, Erak, Flanagan, Gallagher, Garrett, Garson, Grimm, Gruger, Heck, Kaiser, King R., Kreidler, Lewis, Maxie, McDonald, Monohon, Nisbet, O'Brien, Owen, Prince, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Williams, Wilson.

Not voting: Representatives Lux, McCormick.

Substitute Senate Bill No. 3398, having failed to receive the constitutional majority, was declared lost.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 756,
HOUSE BILL NO. 775,
SUBSTITUTE HOUSE BILL NO. 782,
SECOND SUBSTITUTE HOUSE BILL NO. 788.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 411 was rereferred from Committee on Appropriations - General Government to the Select Committee on Deregulation and Productivity.

On motion of Mr. Nelson (G), HOUSE BILL NO. 514 was rereferred from Committee on Local Government to Committee on Ethics, Law and Justice.

MOTION FOR RECONSIDERATION

Mr. Nisbet, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Substitute Senate Bill No. 3398 failed to pass the House.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute Senate Bill No. 3398 failed to pass the House, and the motion was carried by the following vote: Yeas, 57; nays, 36; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berleen, Bond, Brown, Burns, Cantu, Chandler, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Galloway, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Leonard, Lundquist, Martinis, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Sherman, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Bickham, Brekke, Chamberlain, Clayton, Dickie, Flanagan, Gallagher, Garrett, Garson, Grimm, Gruger, Heck, Kaiser, King R., Kreidler, Lewis, Maxie, McDonald, Monohon, Nelson D., O'Brien, Rinehart, Rust, Schmidt, Sommers, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Williams, Wilson.

Not voting: Representatives Lux, McCormick, Scott, Smith, Warnke.

The Speaker stated the question before the House to be reconsideration of final passage of Substitute Senate Bill No. 3398.

Representatives Winsley, Nisbet, Addison and Ellis spoke in favor of passage of the bill, and Mr. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3398, and the bill passed the House by the following vote: Yeas, 58; nays, 37; not voting, 3.

Voting yea: Representatives Addison, Barnes, Barr, Bender, Berleen, Bond, Brown, Burns, Cantu, Chamberlain, Dawson, Eberle, Ehlers, Ellis, Eng, Fancher, Fiske, Gallagher, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Leonard, Lundquist, Martinis, Maxie, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Salatino, Sanders, Sherman, Sprague, Taylor, Tilly, Tupper, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barrett, Becker, Bickham, Brekke, Chandler, Clayton, Dickie, Erak, Flanagan, Garrett, Garson, Gruger, Heck, Kaiser, King R., Kreidler, Lewis, McDonald,

Monohon, Prince, Rinehart, Rosbach, Rust, Schmidt, Scott, Smith, Sommers, Stratton, Struthers, Teutsch, Thompson, Valle, Vander Stoep, Williams, Wilson.

Not voting: Representatives Lux, McCormick, Warnke.

Substitute Senate Bill No. 3398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION WITHDRAWN

With the consent of the House, Mr. King (R) withdrew his notice of reconsideration on Substitute House Bill No. 804.

MESSAGE FROM THE SENATE

December 2, 1981

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4370,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4370, by Committee on Ways and Means (originally sponsored by Senator Scott):

Freezing the inventory phase-out at current levels.

To Committee on Revenue

RESOLUTION

HOUSE RESOLUTION NO. 81-96, by Representative Nelson (G):

WHEREAS, This 2nd Special Session of the Forty-Seventh Legislature is drawing to a close; and

WHEREAS, This House has previously adopted House Floor Resolution 81-81 providing for the establishment of an Executive Rules Committee during the interim and giving such committee certain duties; and

WHEREAS, A need exists to reestablish the Executive Rules Committee for the interim period;

NOW, THEREFORE, BE IT RESOLVED, That House Floor Resolution 81-81 is hereby readopted providing that its terms shall apply to the ensuing interim period.

On motion of Mr. Nelson (G), the resolution was adopted.

MESSAGE FROM THE SENATE

December 2, 1981

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 756,

HOUSE BILL NO. 775,

SUBSTITUTE HOUSE BILL NO. 782,

SECOND SUBSTITUTE HOUSE BILL NO. 788,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

RESOLUTION

HOUSE RESOLUTION NO. 81-97, by Representative Nelson (G):

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House is ready to adjourn sine die.

On motion of Mr. Nelson (G), the resolution was adopted.

APPOINTMENT OF COMMITTEE

In accordance with House Resolution No. 81-97, the Speaker appointed Representatives Clayton, Smith and Rust to notify the Senate that the House was ready to adjourn sine die.

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following committee assignments:
 Representative Nickell from Committee on Human Services to Committee on Institutions;
 Representative Fiske from Committee on Institutions to Committee on Human Services;
 Representative Tilly appointed to Committee on Local Government.

MESSAGES FROM THE SENATE

December 2, 1981

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3398,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

December 2, 1981

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 128,

SENATE CONCURRENT RESOLUTION NO. 129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 128, by Senators Hayner, Jones, Bottiger
 and Fleming:

Transmittal of bills and resolutions between houses.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution
 No. 128 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered
 the third, and Senate Concurrent Resolution No. 128 was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3398.

COMMITTEE FROM SENATE

The Sergeant at Arms announced the arrival of a special committee from the Senate.

The Special Committee, consisting of Senators Deccio, Bluechel and Ridder reported to
 the House that the Senate was ready to adjourn sine die.

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 129, by Senators Hayner, Jones, Bottiger
 and Fleming:

Adjourn Sine Die.

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolu-
 tion No. 129 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered
 the third, and Senate Concurrent Resolution No. 129 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of Senate Concurrent Resolution No. 129, the Speaker
 appointed Representatives Nisbet, Chamberlain, Scott and Sommers as a special committee to
 notify the Governor that the Legislature was about to adjourn sine die.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the terms of House Resolution No. 81-97, appeared at the bar of the House and reported that they had notified the Senate that the House was ready to adjourn sine die.

The report was received and the committee retired.

MESSAGE FROM THE SENATE

December 2, 1981

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 128,
SENATE CONCURRENT RESOLUTION NO. 129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was about to sign:

SENATE CONCURRENT RESOLUTION NO. 128,
SENATE CONCURRENT RESOLUTION NO. 129.

REPORT OF SPECIAL COMMITTEE

The special committee from the House, appointed under the terms of Senate Concurrent Resolution No. 129, appeared at the bar of the House and reported that they had notified the Governor that the Legislature was about to adjourn sine die.

The report was received and the committee retired.

MESSAGE FROM THE SENATE

December 2, 1981

Mr. Speaker:

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 128, the Senate herewith returns the following House Bills:

ENGROSSED HOUSE BILL NO. 757,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 759,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 762,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 763,
ENGROSSED HOUSE BILL NO. 768,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 770,
SUBSTITUTE HOUSE BILL NO. 778,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 784,
HOUSE BILL NO. 800,
SUBSTITUTE HOUSE BILL NO. 804,
SUBSTITUTE HOUSE BILL NO. 808,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House of Representatives of the 2nd Special Session of the Forty-seventh Legislature adjourned sine die.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIRST DAY
1982 REGULAR SESSION

NOON SESSION

House Chamber, Olympia, Wash., Monday, January 11, 1982.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representative Fancher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Balise and Keoki Morgan. Prayer was offered by The Reverend Burdette R. Palmberg, Mercer Island Covenant Church:

"Our Father, this body faces some enormous needs. We ask Your wisdom and guidance to give us good sense to be effective; to exercise creative stewardship of the resources, both fiscal and personal; to aggressively address the needs and problems of this state; to deal with tenacity, patience and realism, the issues we face. Continue to work with us until a way is found where it seems at this time there be no way. Give us the common sense to be concerned with what is right rather than with our press notices; to be willing to work toward compromise and unwilling to compromise ourselves; to work for the people rather than for partisanship and to remind us that in the thick of debate we are representatives for the people who have elected us and not spokesmen for power blocks or special interests. Help this body to be willing to be lonely in the right rather than to be popular in the wrong. We ask in Jesus' name. Amen."

MESSAGE FROM THE SECRETARY OF STATE

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

We herewith respectfully transmit for your consideration of certain items and sections which were vetoed by the governor following the adjournment of the previous session, Substitute House Bill No. 811, the remainder of which has been designated Chapter 14, Laws of 1981, 2nd Extraordinary Session, together with a copy of the veto message of the governor setting forth his objections to the items and sections vetoed as provided by Article III, Section 12 of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this eleventh day of January, 1982.

(Seal)

RALPH MUNRO, Secretary of State.

The Speaker appointed Representatives Ellis and Stratton to escort Chief Justice Brachtenbach to the rostrum.

The Speaker appointed Representatives Tilly and Bender to escort Representatives Dickie, Nickell, Kaiser and Cole to the rostrum.

OATH OF OFFICE

Chief Justice Brachtenbach issued the oath of office to the newly-appointed representatives.

Representatives Tilly and Bender escorted the representatives to their seats.

The Speaker instructed Representatives Ellis and Stratton to escort Chief Justice Brachtenbach from the House Chamber.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-99, by Representatives Nelson (G) and Ehlers:

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

On motion of Mr. Nelson (G), the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the provisions of House Resolution No. 82-99, the Speaker appointed Representatives Chandler, Williams, Warnke and Garrett to notify the Senate that the House was organized and ready for business.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 32, by Representative Nelson (G):

Calling a joint session of the Legislature to hear the Governor's address.

MOTIONS

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

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the resolution was adopted.

COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Craswell, Bauer and Gallagher, appeared at the bar of the House and reported that the Senate was organized and ready for business.

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

MESSAGE FROM THE SENATE

January 11, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 130,

SENATE CONCURRENT RESOLUTION NO. 131,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 130, by Senators Hayner, Jones, Bottiger and Fleming:

Notifying Governor that Legislature is organized.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and Senate Concurrent Resolution No. 130 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 130 was adopted.

APPOINTMENT OF COMMITTEE

In accordance with the provisions of Senate Concurrent Resolution No. 130, the Speaker appointed Representatives Eberle, Grimm and Padden to notify the Governor that the Legislature was organized and ready for business.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the provisions of House Resolution No. 82-99, appeared at the bar of House and reported that they had notified the Senate that the House was organized and ready for business.

The report was received and the committee retired.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 131, by Senators Hayner, Jones, Bottiger and Fleming:

Reintroduction of bills introduced in prior sessions of the 47th Legislature.

MOTIONS

On motion of Mr. Hastings, the rules were suspended and Senate Concurrent Resolution No. 131 was advanced to second reading and read the second time in full.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 131 was adopted.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the terms of Senate Concurrent Resolution No. 130, appeared at the bar of the House and reported that the Governor had been notified that the Legislature was organized and ready for business.

The report was received and the committee retired.

JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the House and the Senate to escort the President of the Senate, Lieutenant Governor John Cherberg, President Pro Tem Sam Guess and Vice President Pro Tem George Clarke to seats on the rostrum.

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

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

The Clerk of the House called the roll of the House and all members were present, except Representative Fancher, who was excused.

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

The President of the Senate appointed Senators Bottiger, Hayner, Lee and Benitz and Representatives McGinnis, Salatino, Houchen and Becker to escort the State Elected Officials to seats within the House Chamber.

The President appointed Senators Bluechel and Charnley and Representatives Eberle and Grimm to escort Governor Spellman to the rostrum.

The President introduced Governor John Spellman.

STATE OF THE STATE ADDRESS

Governor Spellman: "Mr. President, Mr. Speaker, distinguished elected officials, members of the House and Senate, ladies and gentlemen: As required by the State Constitution, let me report to you the condition of the affairs of the state.

"Unemployment will soon be running at eleven or twelve percent. The construction and timber industries are in a depression. \$1.5 billion has been cut from previous program levels. The prisons are bursting at the seams, after a one-year population increase of one thousand prisoners. In 1982, the population will increase by another one thousand. We have no cash reserves. We have nine months in which to pay off a \$400 million loan. We are \$925 million below the strict tax lid imposed by the people. The state's bond rating has been down-graded, costing the taxpayers \$100 million in interest payments over the next twenty years. Soon the bond rating will be reviewed and scrutinized again. High credit costs have depressed the retail sales upon which state revenues depend. The most recent economic forecast—confirmed by the best economic thinkers in the state—showed a projected \$144 million revenue shortfall over the next seventeen months. There is mounting evidence of further revenue declines before the biennium is over.

"Let's assume for the moment that we take care of the immediate problems we face today. A year from today, we are likely to face another \$1 billion in fiscal problems. Increased enrollments in kindergarten through high school will require an increase in school spending for the 1983-85 biennium. Higher education enrollment is projected to increase in the next biennium. And we will have to replace \$70 million in capital construction money used to pay for higher education operating costs in this biennium. State pension funding requirements will leap by at least \$250 million. Adult corrections will require additional millions, as the prison population continues to increase through the 1983-85 biennium. And we must assume that federal reductions in appropriations to the states will continue. The \$1 billion 1983-85 biennium problem we will face next year does not include inflation.

"Let us assume that inflation runs at seven percent. Counting inflation alone, maintaining only the radically reduced state spending of the past year, we would be required to come up with about another \$1 billion in revenue.

"That's a great start for a speech!

"While the ravages of inflation—though already somewhat curbed—continue to mount, the property tax collection rate will continue to fall. The people's repeal of the inheritance tax last November will add a further revenue erosion of \$114 million in the 1983-85 biennium. We will be about \$1 billion below Initiative 62's strict tax limit a year from today, when the next Legislature must write the next biennial budget.

"What must we do now? We must meet our \$144 million and \$15 million revenue shortfalls, which currently exist. We must also restore adequate levels of reserves, by \$150 million, in anticipation of further economic and revenue deterioration. In short, we must provide \$309 million in additional revenues. This is what we must do as prudent stewards of the public trust. And we must do it without concern for the elections this fall.

"The people of the state of Washington did not elect us to get reelected. They elected us to deal forthrightly with the problems of our state. They did not elect us to give us a job. They elected us to do a job. I call upon all of us today to put aside electioneering until after our crucial work is completed. For the good of the people we must resist the strong temptation to characterize as scapegoats those who take the difficult course of responsible action. Let us all delay the start of this fall's campaign until we get the job done!

"At the end of your 1981 session, I told you and I told the people that you were to be congratulated on what you accomplished; that you deserved praise for your unprecedented hard work; that you had responsibly taken the politically difficult course. And I want more than anything to be able to repeat that praise following this session, because if the crucial work is not done in this session, and if the economy continues to deteriorate, there is not question you will be back in special session before the fall. I suggest to you that the electorate of this state would prefer a good-faith approach to solving our problems to the supposedly 'safe' political course of trying to avoid those problems. To try to avoid those problems is to grossly underestimate the wisdom and intelligence of the electorate. As long as I am Governor I will continue to urge you to cooperate with each other and to work together with mutual respect to get the job done.

"I have just submitted to you my assessment of the top priorities for this meeting of the Legislature. We have, minimally, a \$309 million problem. That's the bare bones. My \$309 million revenue proposal is based on my assessment of what can win your acceptance, even though I know that neither you nor I like taxes as a solution, and that taxes are almost always among the last agenda items that any session deals with, I ask for a tax increase of \$180 million—\$176 million from imposing the sales tax on gasoline and \$4 million from closing a loophole by taxing aircraft. I ask for \$129 million in nontax revenues. I ask that you require the top 2.6 percent of the state's retail stores to pay their collections of state sales tax in a more timely way so that the taxpayers can reap the benefits of their money without delay. I ask you to pass a higher education fee bill which would establish a more equitable tuition and fee system for the state's colleges and universities. And I ask you to pass a DSHS fiscal responsibility bill which would require families with good incomes to pay for a portion of the care and services that they receive from the state.

"I have kept my package simple and minimal. It will meet the state's needs for the biennium. It is not the only possible tax package, but it is the one I think has the best chance for passage. Washington State has one of the narrowest tax bases in the country. We are one of only six states that have no income tax. More than two-thirds of the states have a higher property tax burden than we do. Half the states still impose a sales tax on food. Our ranking in the state and local tax burden has been dropping steadily for years. This is good news for the

taxpayer, but we can go only so far before creating a chronic crisis in financing basic state services. That crisis was the reality which dominated state government in 1981; and, until we act conclusively, it will remain the priority of our agenda for the 1980's.

"Beyond that, we need to make a beginning toward establishing a firmer footing for future budgets. I am proposing that the Legislature create a dual purpose fund to serve as a cushion against any further revenue declines that may occur. This fund will also provide a down payment on putting the state's finances back in order. We do this, not to keep budget officers happy, but to meet the needs that people cannot meet on their own. We cannot be satisfied with the current availability of care for the mentally ill. The demand for state and local mental health care is placing a great strain on barely adequate resources. The need for better care is undeniable. Additional funds will be necessary before the end of this biennium in order to care for an increasing number of mentally ill persons requiring involuntary treatment. Because additional appropriations are unlikely, money to meet mental health needs will have to come from existing and already strained DSHS appropriations. As a minimum action, we must take up the question of how to restructure the state's mental health system—to integrate hospital care, outpatient care, emergency services, and follow-up care in community services. The explosion of the state's prison population requires legislative action to begin building a new 500-bed prison in addition to the one under construction at Monroe. The social price that would have to be paid for not taking such action is better left undiscussed.

"While I have spoken against unacceptable spending cuts in the delivery of services, that does not mean that the efficiency and productivity of the government cannot be improved. I, therefore, have proposed, as you have requested, a reorganization of the state's data processing authority to maximize efficiency and productivity and to avoid needless waste. I have also proposed a first-step program in government reorganization to eliminate needless agencies, boards and commissions, and to provide for a more economical approach to the delivery of government services. And I have asked for the power to develop and implement further organizational reforms and efficiencies. Efficiency is not enough. More than anything else, we need jobs, and we need them now.

"I propose creating a Community Economic Revitalization Board, to increase public project construction and economic development tailored to the needs of individual communities. I propose accelerating bond programs, already authorized and approved by the people, to create jobs now. I propose that, as the federal government removes itself from funding job-finding services, the state come up with the money to help relieve the most serious human problem facing us—unemployment. Ultimately, the only real solution to our fiscal woes is the rehabilitation of our economy and the creation of hundreds of thousands of jobs. On this point we are of one mind. We must do everything we can to create jobs and to stimulate economic activity. The crisis condition of the Washington Public Power Supply System makes this task doubly urgent. WPPSS has created a vast dark cloud of awesome debt that has for so many months loomed as a fiscal and economic danger so great as to make a \$309 million revenue problem pale indeed. Were WPPSS to collapse—to go into uncontrolled termination—the impacts on the public and private sectors of our economy and on the economic health of our entire region, would be profoundly adverse.

"The problems we face are real. They will not go away. If we fail to deal with them now, the Budget and Accounting Act would require an across-the-board cut in state services, including K-12 education, of almost five percent for the second year of this biennium. Potentially, that could mean a ten percent across-the-board cut, were common schools to be exempted by the courts. If the economy deteriorates further, and if we fail to act now, those cuts could be even deeper. It is these times and these problems, and not political expediency, that dictate the actions we must take.

"In my first year as Governor, the Legislature responded to the challenge and met the demands of responsibility and conscience. I pray with all my heart that our record of success will continue in 1982. Our success has come from working closely together, step by step, through extremely difficult times. As I hope you discovered in 1981, my door is always open and will remain open. I will continue to work closely with you so that together we do the job the people have chosen us to do.

"Thank you."

The President instructed the committee to escort Governor Spellman to his office.

The President instructed the committee to escort the State Elected Officials from the House Chamber.

MESSAGE FROM THE SECRETARY OF STATE

To the Honorable,
 Speaker of the House of Representatives,
 Legislature of the State of Washington
 Olympia, Washington
 Dear Sir:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast on state measures and offices which appeared on the ballot at the state general election held on the 3rd day of November, 1981, that the total number of ballots cast at this state general election was 948,359 and that the total number of votes cast for each candidate and for and against each of these state measures was as follows:

INITIATIVE MEASURE 394

Shall public agencies obtain voter approval prior to issuing bonds for the construction or acquisition of major public energy projects?

Yes	532,178
No	384,419

INITIATIVE MEASURE 402

Shall inheritance and gift taxes be abolished, and state death taxes be restricted to the federal estate tax credit allowed?

Yes	610,507
No	297,445

SENATE JOINT RESOLUTION NO. 107

Shall constitutional limitations on powers and numbers of superior court commissioners be removed, and limitations be established by legislation?

Yes	385,796
No	439,542

SENATE JOINT RESOLUTION NO. 133

Shall certification of initiatives to the legislature be required within forty days of filing and legislatively ordered referenda thereon prohibited?

Yes	581,724
No	199,516

HOUSE JOINT RESOLUTION NO. 7

Shall industrial development bonds, repaid by such developments, not by public funds, be authorized for issuance by public governmental entities?

Yes	450,580
No	357,944

JUSTICE OF THE STATE SUPREME COURT

Carolyn R. Dimmick	Nonpartisan	590,164
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SUPERIOR COURT — Benton and Franklin Counties

Duane E. Taber	Nonpartisan	26,800
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STATE REPRESENTATIVE — 2nd District

Jean Miller	Republican	3,696
Duane Kaiser	Democrat	5,361

STATE REPRESENTATIVE — 12th District

C.R. "Dick" Nickell	Republican	10,708
Betty G. Shreve	Democrat	10,664

STATE SENATE — 15th District

Irv Newhouse	Republican	8,716
Mike Everett	Democrat	8,570

STATE REPRESENTATIVE — 15th District

Lyle J. Dickie	Republican	7,316
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IN WITNESS WHEREOF, I have set my hand and affixed the seal of the state of Washington this eleventh day of January, 1982.

(Seal)

RALPH MUNRO, Secretary of State

The President of the Senate and the Speaker of the House presented the Certificate of Election to Supreme Court Justice Carolyn Dimmick.

MOTION

On motion of Mr. Nelson (G), the Joint Session was dissolved.

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tem Guess, Vice President Pro Tem Clarke and the Senators from the House Chamber.

The House resumed its session.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 823, by Representatives Bickham, Lewis, Dickie, Johnson, Smith, Ellis and Dawson:

AN ACT Relating to city or town local improvement assessments; amending section 35.50.010, chapter 7, Laws of 1965 and RCW 35.50.010; amending section 35.50.150, chapter 7, Laws of 1965 and RCW 35.50.150; and adding a new section to chapter 7, Laws of 1965 and to chapter 35.50 RCW.

To Committee on Local Government

HOUSE BILL NO. 824, by Representatives McGinnis, Heck, Leonard, Bickham, Lux and Dawson:

AN ACT Relating to the assignment of dental insurance benefits; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 825, by Representatives Nickell, Rosbach and Stratton:

AN ACT Relating to state government; and amending section 46.37.190, chapter 12, Laws of 1961 as last amended by section 1, chapter 92, Laws of 1971 ex. sess. and RCW 46.37.190.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 826, by Representatives Ellis, Bickham and Armstrong:

AN ACT Relating to the law revision commission; adding a new chapter to Title 1 RCW; and adding a new section to chapter 41.06 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 827, by Representatives Ellis, Bickham, Armstrong and Sommers:

AN ACT Relating to the utilities and transportation commission; amending section 80.01.100, chapter 14, Laws of 1961 and RCW 80.01.100; and adding a new chapter to Title 80 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 828, by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King (J), Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong:

AN ACT Relating to victims of crime; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070; amending section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 27, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.080; and adding a new section to chapter 7.68 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 829, by Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick:

AN ACT Relating to elected officials; creating a new chapter in Title 42 RCW; defining crimes; and providing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 830, by Representatives Valle, Barrett and Sommers:

AN ACT Relating to the board of dental examiners; amending section 2, chapter 112, Laws of 1935 as last amended by section 1, chapter 38, Laws of 1979 and RCW 18.32.035; amending section 5, chapter 112, Laws of 1935 as amended by section 2, chapter 38, Laws of 1979 and RCW 18.32.040; and amending section 29, chapter 16, Laws of 1923 as last amended by section 31, chapter 158, Laws of 1979 and RCW 18.29.030.

To Committee on Human Services

HOUSE BILL NO. 831, by Representatives James, Cantu, Barrett, Sommers and Kreidler:

AN ACT Relating to the dental disciplinary board; amending section 1, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.510; amending section 2, chapter 5, Laws of 1977 ex. sess. as amended by section 36, chapter 158, Laws of 1979 and RCW 18.32.520; amending section 4, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.540; amending section 5, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.550; amending section 6, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.560; amending section 7, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.570; amending section 12, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.620; amending section 14, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.640; amending section 15, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.650; amending section 20, chapter 5, Laws of 1977 ex. sess. and RCW 18.32.700; and adding a new section to chapter 18.32 RCW.

To Committee on Human Services

HOUSE BILL NO. 832, by Committee on Agriculture and Representative Padden:

AN ACT Relating to irrigation districts; reenacting section 3, chapter 345, Laws of 1981 and RCW 87.03-.017; and declaring an emergency.

To Committee on Agriculture

HOUSE BILL NO. 833, by Committee on Financial Institutions and Insurance and Representatives Dawson, Johnson, Rosbach, McGinnis and Lux:

AN ACT Relating to savings and loan associations; amending section 119-A, chapter 235, Laws of 1945 and RCW 33.04.010; amending section 95, chapter 235, Laws of 1945 as last amended by section 1, chapter 113, Laws of 1979 and RCW 33.04.020; amending section 20, chapter 130, Laws of 1973 and RCW 33.04.025; amending section 3, chapter 245, Laws of 1977 ex. sess. and RCW 33.04.110; amending section 2, chapter 235, Laws of 1945 as amended by section 1, chapter 280, Laws of 1959 and RCW 33.08.010; amending section 3, chapter 235, Laws of 1945 and RCW 33.08.020; amending section 4, chapter 235, Laws of 1945 as amended by section 1, chapter 20, Laws of 1949 and RCW 33.08.030; amending section 5, chapter 235, Laws of 1945 and RCW 33.08.040; amending section 6, chapter 235, Laws of 1945 as amended by section 30, chapter 302, Laws of 1981 and RCW 33.08.050; amending section 7, chapter 235, Laws of 1945 as last amended by section 1, chapter 107, Laws of 1969 and RCW 33.08.060; amending section 8, chapter 235, Laws of 1945 as last amended by section 85, chapter 81, Laws of 1971 and RCW 33.08.070; amending section 9, chapter 235, Laws of 1945 as amended by section 31, chapter 302, Laws of 1981 and RCW 33.08.080; amending section 10, chapter 235, Laws of 1945 as last amended by section 32, chapter 302, Laws of 1981 and RCW 33.08.090; amending section 11, chapter 235, Laws of 1945 as amended by section 1, chapter 49, Laws of 1967 and RCW 33.08.100; amending section 7, chapter 280, Laws of 1959 as last amended by section 1, chapter 98, Laws of 1974 ex. sess. and RCW 33.08.110; amending section 8, chapter 280, Laws of 1959 and RCW 33.08.120; amending section 29, chapter 235, Laws of 1945 as last amended by section 3, chapter 107, Laws of 1969 and RCW 33.12.010; amending section 1, chapter 87, Laws of 1981 and RCW 33.12.____; amending section 2, chapter 87, Laws of 1981 and RCW 33.12.____; amending section 35, chapter 235, Laws of 1945 as last amended by section 3, chapter 113, Laws of 1979 and RCW 33.12.060; amending section 13, chapter 235, Laws of 1945 and RCW 33.12.140; amending section 51, chapter 235, Laws of 1945 as last amended by section 3, chapter 84, Laws of 1981 and RCW 33.12-.150; amending section 1, chapter 93, Laws of 1973 1st ex. sess. and RCW 33.12.180; amending section 14, chapter 235, Laws of 1945 as amended by section 1, chapter 257, Laws of 1947 and RCW 33.16.010; amending section 15, chapter 235, Laws of 1945 as amended by section 5, chapter 246, Laws of 1963 and RCW 33.16.020; amending section 16, chapter 235, Laws of 1945 and RCW 33.16.030; amending section 17, chapter 235, Laws of 1945 as amended by section 21, chapter 130, Laws of 1973 and RCW 33.16.040; amending section 19, chapter 235, Laws of 1945 and RCW 33.16.050; amending section 20, chapter 235, Laws of 1945 and RCW 33.16.060; amending section 22, chapter 235, Laws of 1945 and RCW 33.16.080; amending section 23, chapter 235, Laws of 1945 and RCW 33.16.090; amending section 27, chapter 235, Laws of 1945 as amended by section 23, chapter 130, Laws of 1973 and RCW 33.16.120; amending section 28, chapter 235, Laws of 1945 as amended by section 4, chapter 113, Laws of 1979 and RCW 33.16.130; amending section 38, chapter 235, Laws of 1945 and RCW 33.16.150; amending section 12, chapter 235, Laws of 1945 as last amended by section 4, chapter 107, Laws of 1969 and RCW 33.20.010; amending section 41, chapter 235, Laws of 1945 as amended by section 30, chapter 192, Laws of 1981 and RCW 33.20.040; amending section 44, chapter 235, Laws of 1945 and RCW 33.20.060; amending section 53, chapter 235, Laws of 1945 and

RCW 33.20.130; amending section 54, chapter 235, Laws of 1945 as last amended by section 5, chapter 113, Laws of 1979 and RCW 33.20.150; amending section 99, chapter 235, Laws of 1945 and RCW 33.20.170; amending section 9, chapter 107, Laws of 1969 and RCW 33.20.180; amending section 10, chapter 107, Laws of 1969 as amended by section 1, chapter 54, Laws of 1980 and RCW 33.20.190; amending section 28, chapter 130, Laws of 1973 and RCW 33.24.005; amending section 94, chapter 235, Laws of 1945 and RCW 33.24.200; amending section 13, chapter 107, Laws of 1969 as amended by section 30, chapter 130, Laws of 1973 and RCW 33.24.270; amending section 1, chapter 130, Laws of 1973 and RCW 33.24.350; amending section 2, chapter 130, Laws of 1973 as amended by section 13, chapter 113, Laws of 1979 and RCW 33.24.360; amending section 3, chapter 130, Laws of 1973 and RCW 33.24.370; amending section 4, chapter 130, Laws of 1973 and RCW 33.24.380; amending section 76, chapter 235, Laws of 1945 as amended by section 33, chapter 302, Laws of 1981 and RCW 33.28.010; amending section 77, chapter 235, Laws of 1945 as last amended by section 1, chapter 22, Laws of 1974 ex. sess. and RCW 33.28.020; amending section 79, chapter 235, Laws of 1945 as last amended by section 4, chapter 134, Laws of 1972 ex. sess. and RCW 33.28.040; amending section 81, chapter 235, Laws of 1945 and RCW 33.32.020; amending section 82, chapter 235, Laws of 1945 and RCW 33.32.030; amending section 84, chapter 235, Laws of 1945 and RCW 33.32.050; amending section 85, chapter 235, Laws of 1945 and RCW 33.32.060; amending section 86, chapter 235, Laws of 1945 and RCW 33.32.070; amending section 87, chapter 235, Laws of 1945 and RCW 33.36.010; amending section 88, chapter 235, Laws of 1945 and RCW 33.36.020; amending section 89, chapter 235, Laws of 1945 and RCW 33.36.030; amending section 90, chapter 235, Laws of 1945 and RCW 33.36.040; amending section 92, chapter 235, Laws of 1945 and RCW 33.36.050; amending section 91, chapter 235, Laws of 1945 and RCW 33.36.060; amending section 102, chapter 235, Laws of 1945 as amended by section 9, chapter 20, Laws of 1949 and RCW 33.40.010; amending section 103, chapter 235, Laws of 1945 and RCW 33.40.020; amending section 104, chapter 235, Laws of 1945 and RCW 33.40.030; amending section 105, chapter 235, Laws of 1945 and RCW 33.40.040; amending section 106, chapter 235, Laws of 1945 as amended by section 29, chapter 130, Laws of 1973 and RCW 33.40.050; amending section 108, chapter 235, Laws of 1945 as amended by section 10, chapter 71, Laws of 1953 and RCW 33.40.070; amending section 1, chapter 105, Laws of 1951 and RCW 33.40.075; amending section 109, chapter 235, Laws of 1945 and RCW 33.40.080; amending section 112, chapter 235, Laws of 1945 as amended by section 11, chapter 71, Laws of 1953 and RCW 33.40.110; amending section 113, chapter 235, Laws of 1945 as amended by section 86, chapter 81, Laws of 1971 and RCW 33.40.120; amending section 100, chapter 235, Laws of 1945 and RCW 33.40.130; amending section 116, chapter 235, Laws of 1945 as amended by section 10, chapter 20, Laws of 1949 and RCW 33.43.010; amending section 117, chapter 235, Laws of 1945 and RCW 33.43.020; amending section 118, chapter 235, Laws of 1945 and RCW 33.43.030; amending section 1, chapter 154, Laws of 1917 as last amended by section 34, chapter 302, Laws of 1981 and RCW 33.44.020; amending section 2, chapter 154, Laws of 1917 as amended by section 2, chapter 177, Laws of 1927 and RCW 33.44.080; amending section 3, chapter 154, Laws of 1917 as amended by section 3, chapter 177, Laws of 1927 and RCW 33.44.090; amending section 1, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.010; amending section 2, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.020; amending section 3, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.030; amending section 4, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.040; amending section 5, chapter 83, Laws of 1975 1st ex. sess. as amended by section 35, chapter 302, Laws of 1981 and RCW 33.46.050; amending section 6, chapter 83, Laws of 1975 1st ex. sess. as amended by section 36, chapter 302, Laws of 1981 and RCW 33.46.060; amending section 7, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.070; amending section 8, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.080; amending section 10, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.100; amending section 11, chapter 83, Laws of 1975 1st ex. sess. and RCW 33.46.110; amending section 4, chapter 84, Laws of 1981 and RCW 33.48.____; amending section 4, chapter 122, Laws of 1955 as last amended by section 1, chapter 84, Laws of 1981 and RCW 33.48.030; amending section 5, chapter 122, Laws of 1955 as last amended by section 2, chapter 84, Laws of 1981 and RCW 33.48.040; amending section 9, chapter 122, Laws of 1955 as last amended by section 8, chapter 107, Laws of 1969 and RCW 33.48.080; amending section 10, chapter 122, Laws of 1955 and RCW 33.48.090; amending section 11, chapter 122, Laws of 1955 and RCW 33.48.100; amending section 12, chapter 122, Laws of 1955 and RCW 33.48.110; amending section 13, chapter 122, Laws of 1955 and RCW 33.48.120 amending section 15, chapter 122, Laws of 1955 and RCW 33.48.140; amending section 8, chapter 130, Laws of 1973 and RCW 33.48.170; amending section 12, chapter 130, Laws of 1973 and RCW 33.48.220; amending section 14, chapter 130, Laws of 1973 and RCW 33.48.240; amending section 15, chapter 130, Laws of 1973 and RCW 33.48.250; amending section 16, chapter 130, Laws of 1973 and RCW 33.48.260; amending section 17, chapter 130, Laws of 1973 and RCW 33.48.270; amending section 18, chapter 130, Laws of 1973 and RCW 33.48.280; amending section 19, chapter 130, Laws of 1973 and RCW 33.48.290; amending section 1, chapter 6, Laws of 1951 and RCW 33.52.010; amending section 1, chapter 124, Laws of 1959 and RCW 30.99.010; amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 95, Laws of 1977 ex. sess. and RCW 39.58.010; amending section 43.19.100, chapter 8, Laws of 1965 as amended by section 2, chapter 185, Laws of 1977 ex. sess. and RCW 43.19.100; amending section 5, chapter 193, Laws of 1969 ex. sess. as last amended by section 3, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.050; amending section 6, chapter 193, Laws of 1969 ex. sess. as amended by section 12, chapter 126, Laws of 1973 and RCW 39.58.060; amending section 10, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.100; amending section 5, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.105; amending section 6, chapter 77, Laws of

1975 1st ex. sess. and RCW 39.58.108; amending section 13, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.130; adding new sections to chapter 33.04 RCW; adding a new section to chapter 33.08 RCW; adding a new section to chapter 33.12 RCW; adding a new section to chapter 33.20 RCW; adding new sections to chapter 33.24 RCW; adding new sections to chapter 33.32 RCW; adding a new section to chapter 33.44 RCW; adding a new section to chapter 33.46 RCW; repealing section 97, chapter 235, Laws of 1945 and RCW 33.04.040; repealing section 101, chapter 235, Laws of 1945 and RCW 33.04.050; repealing section 30, chapter 235, Laws of 1945, section 2, chapter 54, Laws of 1980 and RCW 33.12.020; repealing section 31, chapter 235, Laws of 1945 and RCW 33.12.030; repealing section 33, chapter 235, Laws of 1945 and RCW 33.12.040; repealing section 34, chapter 235, Laws of 1945, section 1, chapter 222, Laws of 1961 and RCW 33.12.050; repealing section 36, chapter 235, Laws of 1945 and RCW 33.12.070; repealing section 37, chapter 235, Laws of 1945 and RCW 33.12.080; repealing section 49, chapter 235, Laws of 1945, section 3, chapter 71, Laws of 1953, section 3, chapter 246, Laws of 1963, section 2, chapter 49, Laws of 1967 and RCW 33.12.090; repealing section 55, chapter 235, Laws of 1945 and RCW 33.12.110; repealing section 56, chapter 235, Laws of 1945 and RCW 33.12.120; repealing section 57, chapter 235, Laws of 1945, section 5, chapter 20, Laws of 1949, section 2, chapter 280, Laws of 1959, section 3, chapter 222, Laws of 1961, section 3, chapter 49, Laws of 1967 and RCW 33.12.130; repealing section 52, chapter 235, Laws of 1945, section 4, chapter 257, Laws of 1947, section 4, chapter 20, Laws of 1949 and RCW 33.12.160; repealing section 21, chapter 235, Laws of 1945 and RCW 33.16.070; repealing section 24, chapter 235, Laws of 1945 and RCW 33.16.100; repealing section 25, chapter 235, Laws of 1945, section 25, chapter 130, Laws of 1973, section 2, chapter 165, Laws of 1975 1st ex. sess. and RCW 33.16.110; repealing section 18, chapter 235, Laws of 1945 and RCW 33.16.140; repealing section 26, chapter 235, Laws of 1945, section 2, chapter 257, Laws of 1947 and RCW 33.16.160; repealing section 32, chapter 235, Laws of 1945 and RCW 33.20.020; repealing section 39, chapter 235, Laws of 1945 and RCW 33.20.090; repealing section 42, chapter 235, Laws of 1945 and RCW 33.20.100; repealing section 47, chapter 235, Laws of 1945 and RCW 33.20.110; repealing section 48, chapter 235, Laws of 1945 and RCW 33.20.120; repealing section 58, chapter 235, Laws of 1945, section 5, chapter 257, Laws of 1947, section 6, chapter 71, Laws of 1953, section 7, chapter 246, Laws of 1963, section 6, chapter 113, Laws of 1979 and RCW 33.24.010; repealing section 59, chapter 235, Laws of 1945, section 6, chapter 257, Laws of 1947 and RCW 33.24.020; repealing section 60, chapter 235, Laws of 1945, section 1, chapter 126, Laws of 1955 and RCW 33.24.030; repealing section 61, chapter 235, Laws of 1945 and RCW 33.24.040; repealing section 62, chapter 235, Laws of 1945 and RCW 33.24.050; repealing section 63, chapter 235, Laws of 1945 and RCW 33.24.060; repealing section 64, chapter 235, Laws of 1945, section 2, chapter 126, Laws of 1955 and RCW 33.24.070; repealing section 65, chapter 235, Laws of 1945, section 7, chapter 71, Laws of 1953 and RCW 33.24.080; repealing section 66, chapter 235, Laws of 1945, section 8, chapter 71, Laws of 1953, section 3, chapter 280, Laws of 1959 and RCW 33.24.090; repealing section 3, chapter 126, Laws of 1955 and RCW 33.24.095; repealing section 67, chapter 235, Laws of 1945, section 6, chapter 20, Laws of 1949, section 5, chapter 107, Laws of 1969, section 7, chapter 113, Laws of 1979 and RCW 33.24.100; repealing section 68, chapter 235, Laws of 1945, section 7, chapter 257, Laws of 1947 and RCW 33.24.110; repealing section 69, chapter 235, Laws of 1945, section 7, chapter 20, Laws of 1949, section 4, chapter 280, Laws of 1959, section 26, chapter 130, Laws of 1973, section 8, chapter 113, Laws of 1979 and RCW 33.24.120; repealing section 70, chapter 235, Laws of 1945, section 4, chapter 49, Laws of 1967 and RCW 33.24.130; repealing section 16, chapter 113, Laws of 1979 and RCW 33.24.135; repealing section 71, chapter 235, Laws of 1945, section 9, chapter 71, Laws of 1953 and RCW 33.24.140; repealing section 15, chapter 113, Laws of 1979 and RCW 33.24.145; repealing section 72, chapter 235, Laws of 1945, section 5, chapter 280, Laws of 1959, section 5, chapter 49, Laws of 1967 and RCW 33.24.150; repealing section 73, chapter 235, Laws of 1945 and RCW 33.24.160; repealing section 74, chapter 235, Laws of 1945, section 8, chapter 20, Laws of 1949, section 6, chapter 280, Laws of 1959, section 9, chapter 113, Laws of 1979 and RCW 33.24.170; repealing section 75, chapter 235, Laws of 1945 and RCW 33.24.180; repealing section 8, chapter 257, Laws of 1947 and RCW 33.24.190; repealing section 7, chapter 49, Laws of 1967, section 24, chapter 130, Laws of 1973, section 10, chapter 113, Laws of 1979 and RCW 33.24.230; repealing section 8, chapter 49, Laws of 1967, section 11, chapter 113, Laws of 1979 and RCW 33.24.240; repealing section 11, chapter 107, Laws of 1969 and RCW 33.24.250; repealing section 12, chapter 107, Laws of 1969 and RCW 33.24.260; repealing section 14, chapter 107, Laws of 1969, section 31, chapter 130, Laws of 1973, section 3, chapter 165, Laws of 1975 1st ex. sess. and RCW 33.24.280; repealing section 15, chapter 107, Laws of 1969, section 1, chapter 42, Laws of 1972 ex. sess. and RCW 33.24.290; repealing section 27, chapter 130, Laws of 1973, section 12, chapter 113, Laws of 1979 and RCW 33.24.295; repealing section 78, chapter 235, Laws of 1945 and RCW 33.28.030; repealing section 80, chapter 235, Laws of 1945, section 8, chapter 246, Laws of 1963 and RCW 33.32.010; repealing section 83, chapter 235, Laws of 1945, section 5, chapter 222, Laws of 1961 and RCW 33.32.040; repealing section 110, chapter 235, Laws of 1945 and RCW 33.40.090; repealing section 111, chapter 235, Laws of 1945 and RCW 33.40.100; repealing section 4, chapter 154, Laws of 1917 and RCW 33.44.010; repealing section 2, chapter 122, Laws of 1955 and RCW 33.48.010; repealing section 3, chapter 122, Laws of 1955 and RCW 33.48.020; repealing section 6, chapter 122, Laws of 1955 and RCW 33.48.050; repealing section 7, chapter 122, Laws of 1955 and RCW 33.48.060; repealing section 8, chapter 122, Laws of 1955 and RCW 33.48.070; repealing section 5, chapter 130, Laws of 1973 and RCW 33.48.180; repealing section 9, chapter 130, Laws of 1973 and RCW 33.48.190; repealing section 10, chapter 130, Laws of 1973 and RCW 33.48.200; repealing section 11,

chapter 130, Laws of 1973 and RCW 33.48.210; and repealing section 13, chapter 130, Laws of 1973 and RCW 33.48.230.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 834, by Representatives Garson, Johnson, Addison, Ellis, Williams, Tilly, Kreidler, Nickell and Barr:

AN ACT Relating to game; amending section 77.16.240, chapter 36, Laws of 1955 as last amended by section 6, chapter 310, Laws of 1981 and RCW 77.21.010; and prescribing penalties.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 835, by Committee on State Government and Representatives Addison, Johnson, Nelson (G), Dickie, Brown, McGinnis, Eberle, Leonard, Hankins, Ellis, James, Greengo, King (J), Sprague, Salatino, Tupper, Nisbet, Garson, Barr and Armstrong:

AN ACT Relating to state government; creating a new chapter in Title 1 RCW; adding a new section to chapter 28B.19 RCW; adding a new section to chapter 34.04 RCW; adding a new section to chapter 44.04 RCW; and creating new sections.

To Committee on State Government

HOUSE BILL NO. 836, by Committee on State Government and Representatives Addison, Nisbet, Mitchell and Sprague:

AN ACT Relating to veterans; and creating new sections.

To Committee on State Government

HOUSE BILL NO. 837, by Committee on State Government and Representatives Addison, Johnson, Brown, Hankins, James, Greengo, Sprague, Salatino, Tupper, Nisbet, Tilly and Garson:

AN ACT Relating to state employees; amending section 1, chapter 142, Laws of 1965 ex. sess. as last amended by section 103, chapter 169, Laws of 1977 ex. sess. and RCW 41.60.010; amending section 2, chapter 142, Laws of 1965 ex. sess. as last amended by section 1, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.020; amending section 3, chapter 142, Laws of 1965 ex. sess. and RCW 41.60.030; amending section 5, chapter 142, Laws of 1965 ex. sess. as last amended by section 3, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.050; amending section 6, chapter 142, Laws of 1965 ex. sess. as amended by section 7, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.060; amending section 5, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.080; adding new sections to chapter 41.60 RCW; repealing section 4, chapter 142, Laws of 1965 ex. sess., section 5, chapter 152, Laws of 1969 ex. sess., section 2, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.040; repealing section 8, chapter 152, Laws of 1969 ex. sess., section 4, chapter 122, Laws of 1975-'76 2nd ex. sess. and RCW 41.60.070; and decodifying RCW 41.60.900 and 41.60.905.

To Committee on State Government

HOUSE BILL NO. 838, by Committee on State Government and Representatives Addison, Johnson, Nelson (G), Dickie, McGinnis, Hankins, Ellis, James, Sprague, Nisbet and Barr:

AN ACT Relating to rules and regulations; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150; and adding new sections to chapter 34.04 RCW.

To Committee on State Government

HOUSE BILL NO. 839, by Representatives Bickham, Dickie and Smith:

AN ACT Relating to motor vehicles; and amending section 46.12.030, chapter 12, Laws of 1961 as last amended by section 8, chapter 25, Laws of 1975 and RCW 46.12.030.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 840, by Representatives Struthers, Chamberlain, Hastings and Hankins:

AN ACT Relating to sales tax exemption permit fees; and amending section 39, chapter 37, Laws of 1980 and RCW 82.08.0273.

To Committee on Revenue

HOUSE BILL NO. 841, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach, Johnson and Dawson (by Department of Fisheries request):

AN ACT Relating to commercial fishing; amending section 4, chapter 183, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.510; amending section 10,

chapter 183, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 43, Laws of 1979 ex. sess. and RCW 75.28.540; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 842, by Committee on Natural Resources and Environmental Affairs and Representative Rosbach (by Department of Fisheries request):

AN ACT Relating to food fish and shellfish; amending section 4, chapter 133, Laws of 1980 and RCW 75.28.275; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 843, by Committee on State Government and Representatives Addison, Johnson, Hankins, James and Sprague:

AN ACT Relating to volunteer work on state park lands; amending section 43.51.130, chapter 8, Laws of 1965 and RCW 43.51.130; amending section 43.51.140, chapter 8, Laws of 1965 and RCW 43.51.140; amending section 43.51.150, chapter 8, Laws of 1965 and RCW 43.51.150; and amending section 43.51.160, chapter 8, Laws of 1965 and RCW 43.51.160.

To Committee on State Government

HOUSE BILL NO. 844, by Representatives Ellis, Johnson and Maxie:

AN ACT Relating to the collection of public debts by collection agencies; and adding a new section to chapter 19.16 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 845, by Representatives Rinehart, Heck, Wang, Brekke, Cole, Sherman, Burns, Lux, Hine, Nelson (D), Pruitt and Kreidler:

AN ACT Relating to the taxation of the privilege of receiving income from intangible personal property; reducing sales and use taxes; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; and providing penalties.

To Committee on Revenue

HOUSE BILL NO. 846, by Representatives Prince and Granlund:

AN ACT Relating to local government; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052; and adding a new chapter to Title 36 RCW.

To Committee on Local Government

HOUSE BILL NO. 847, by Representatives Barnes and Scott:

AN ACT Relating to payment by a joint operating agency to its members of interest at market rates; amending section 43.52.391, chapter 8, Laws of 1965 as amended by section 8, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.391; adding a new section to chapter 43.52 RCW; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 848, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to child welfare; amending section 17, chapter 172, Laws of 1967 as last amended by section 16, chapter 298, Laws of 1981 and RCW 74.13.031; amending section 4, chapter 63, Laws of 1971 ex. sess. as amended by section 8, chapter 67, Laws of 1979 ex. sess. and RCW 74.13.109; and adding new sections to chapter 74.13 RCW.

To Committee on Human Services

HOUSE BILL NO. 849, by Representatives Taylor, Galloway, Chandler, Johnson, Wilson, Lundquist, Mitchell, James, Nisbet, Padden, Tilly, Barnes, Kreidler, Amen and Barr:

AN ACT Relating to the authority of certain educational agencies to exclude children from schools or centers for health reasons, approve consolidation petitions, select art works, issue contracts, replace equipment and furniture, close schools, self-insure for worker's compensation, bond officers or employees, and establish a permanent insurance fund; amending section 3, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.104; amending section 8, chapter 118, Laws of 1979 ex. sess. and RCW 28A.31.114; amending section 28A.57.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 91, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.170; amending section 5, chapter 176, Laws of 1974 ex. sess. and RCW 28A.58.055; amending section 1, chapter 210, Laws of 1977 ex. sess. and

RCW 28A.58.131; amending section 2, chapter 250, Laws of 1981 and RCW 28A.58.441; amending section 28A.59.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.180; amending section 28A.59.185, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.185; creating new sections; adding new sections to chapter 51.14 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.21 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and adding new sections to chapter 2, Laws of 1971 ex. sess. and to chapter 43.21C RCW.

To Committee on Education

HOUSE BILL NO. 850, by Committee on Human Services and Representatives Mitchell and Stratton (by Department of Social and Health Services request):

AN ACT Relating to social and health services; amending section 2, chapter 155, Laws of 1973 1st ex. sess. and RCW 70.96.160; amending section 1, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.010; amending section 2, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.020; amending section 4, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.040; amending section 5, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.050; amending section 8, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.060; amending section 9, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.070; amending section 10, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.080; amending section 11, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.090; adding new sections to chapter 69.54 RCW; and adding new sections to chapter 70.96 RCW.

To Committee on Human Services

HOUSE BILL NO. 851, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to eligibility for services from the developmental disabilities division of the department of social and health services; and repealing section 2, chapter 71, Laws of 1974 ex. sess. and RCW 71.20.015.

To Committee on Human Services

HOUSE BILL NO. 852, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to nursing homes; amending section 2, chapter 211, Laws of 1979 ex. sess. as amended by section 6, chapter 184, Laws of 1980 and RCW 74.42.020; amending section 19, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.190; amending section 21, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.210; amending section 23, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.230; amending section 46, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.460; amending section 47, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.470; amending section 60, chapter 211, Laws of 1979 ex. sess. as amended by section 17, chapter 184, Laws of 1980 and RCW 74.42.600; amending section 3, chapter 260, Laws of 1977 ex. sess. and RCW 74.09.570; amending section 90, chapter 177, Laws of 1980 as amended by section 9, chapter 2, Laws of 1981 1st ex. sess. (uncodified); repealing section 25, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.250; repealing section 59, chapter 211, Laws of 1979 ex. sess., section 16, chapter 184, Laws of 1980 and RCW 74.42.590; repealing section 61, chapter 211, Laws of 1979 ex. sess., section 85, chapter 177, Laws of 1980 and RCW 74.42.610; and providing an effective date.

To Committee on Human Services

HOUSE BILL NO. 853, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to county community mental health programs; and amending section 13, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.130.

To Committee on Human Services

HOUSE JOINT RESOLUTION NO. 14, by Representatives Taylor, Granlund, Mitchell, Stratton, Williams, Nisbet, Patrick, Tilly, Barnes and Amen:

Amending the Constitution to establish a redistricting commission.

To Select Committee on Redistricting

HOUSE JOINT RESOLUTION NO. 15, by Representatives Rinehart, Heck, Wang, Brekke, Cole, Sherman, Burns, Lux, Hine, Nelson (D), Pruitt and Kreidler:

Providing for the imposition of a tax upon intangible property.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 16, by Representatives Taylor, Wilson, Nelson (G), Smith, McGinnis, Mitchell, James, Padden, Amen and Barr:

Making superintendent of public instruction appointive by the state board of education.

To Committee on Education

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended to permit committee sponsorship of bills.

On motion of Mr. Nelson (G), the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, January 12, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 12, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 854, by Committee on Transportation and Representative Wilson (by Department of Transportation request):

AN ACT Relating to motor vehicle fuel excise tax; amending section 1, chapter 28, Laws of 1974 ex. sess. as amended by section 2, chapter 317, Laws of 1977 ex. sess. and RCW 82.36.020; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 855, by Representative Isaacson (by State Auditor request):

AN ACT Relating to the division of municipal corporations; and amending section 43.09.270, chapter 8, Laws of 1965 and RCW 43.09.270.

To Committee on Local Government

HOUSE BILL NO. 856, by Committee on Transportation and Representative Wilson (by Department of Transportation request):

AN ACT Relating to transportation; amending section 27, chapter 317, Laws of 1981 (uncodified); and declaring an emergency.

To Committee on Transportation

MOTIONS

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading, and were referred to the committees designated.

On motion of Mr. Nelson (G), SUBSTITUTE HOUSE BILL NO. 95, SUBSTITUTE HOUSE BILL NO. 733 and HOUSE BILL NO. 736 were rereferred from Committee on Rules to Committee on State Government.

On motion of Mr. Nelson (G), HOUSE BILL NO. 820 was rereferred from Committee on Ethics, Law and Justice to Committee on Human Services.

On motion of Mr. Nelson (G), HOUSE BILL NO. 595 was rereferred from Committee on Rules to Committee on Transportation.

REPORT OF STANDING COMMITTEE

January 11, 1982

HOUSE BILL NO. 787, Prime Sponsor: Representative Eberle, providing for congressional redistricting and reapportionment. Reported by Select Committee on Redistricting.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Eberle, Chairman; Hastings, Vice Chairman; Bond, Prince, Sanders.

Voting nay: Representatives Bender, Ranking Minority Member; Ehlers, Warnke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, January 13, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 13, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fancher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christa Colouzis and Heather Peterson. Prayer was offered by The Reverend Patricia L. Hunter of Mount Zion Baptist Church of Seattle.

Reverend Hunter spoke in tribute to Martin Luther King, Jr.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGES FROM THE SENATE

January 11, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 32,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 11, 1982

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 130,

SENATE CONCURRENT RESOLUTION NO. 131,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 32,

SENATE CONCURRENT RESOLUTION NO. 130,

SENATE CONCURRENT RESOLUTION NO. 131.

POINT OF PARLIAMENTARY INQUIRY

Mr. Pruitt: "Mr. Speaker, on Substitute House Bill No. 811 there was a veto of that budget that was passed. It was a veto that might protect beautiful Puget Sound and beautiful Seahurst Park from metro sewage flow in that area. My question is, could I make a motion for the override of that veto?"

The Speaker: "Representative Pruitt, the veto message from Governor Spellman has not yet been read in. I would anticipate we will have it read in on Friday, so any time after that message has been read in, any member can move to override the Governor's veto."

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 857, by Representatives Vander Stoep, Fiske, Chamberlain, Addison, Johnson, Tupper, Garson, Berleen, Nickell, Nelson (G), Rosbach, Hastings, James, Williams, Taylor, Winsley and Barr:

AN ACT Relating to audits of governmental entities; amending section 43.09.260, chapter 8, Laws of 1965 as amended by section 1, chapter 71, Laws of 1979 and RCW 43.09.260; and amending section 43.09-.280, chapter 8, Laws of 1965 as amended by section 2, chapter 71, Laws of 1979 and RCW 43.09-.280.

To Committee on State Government

HOUSE BILL NO. 858, by Representatives James, Sommers, Addison, Lundquist, Johnson, Williams, Barr and Nelson, G. (by Governor Spellman request):

AN ACT Relating to state government; amending section 7, chapter 149, Laws of 1979 and RCW 28A.41.412; amending section 28B.20.402, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.402; amending section 28B.20.412, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 62, Laws of 1973 and RCW 28B.20.412; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 27, chapter 3, Laws of 1981 and RCW 41.26.060; amending section 4, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.570; amending section 10, chapter 167, Laws of 1975 1st ex. sess. as amended by section 102, chapter 151, Laws of 1979 and RCW 43.19.600; amending section 5, chapter 167, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 169, Laws of 1980 and RCW 43.41.130; amending section 2, chapter 169, Laws of 1975 1st ex. sess. as amended by section 128, chapter 158, Laws of 1979 and RCW 46.08.066; amending section 20, chapter 87, Laws of 1980 and RCW 43.03.028; amending section 3, chapter 224, Laws of 1951 as amended by section 152, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 58.24.020; amending section 4, chapter 224, Laws of 1951 and RCW 58.24.030; adding a new section to chapter 2.10 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.43 RCW; creating new sections; repealing section 5, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.050; repealing section 6, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.060; repealing section 2, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.260; repealing section 5, chapter 209, Laws of 1969 ex. sess., section 3, chapter 6, Laws of 1970 ex. sess., section 7, chapter 257, Laws of 1971 ex. sess., section 4, chapter 131, Laws of 1972 ex. sess., section 2, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.050; repealing section 4, chapter 80, Laws of 1947, section 1, chapter 17, Laws of 1975 1st ex. sess. and RCW 41.32.040; repealing section 5, chapter 80, Laws of 1947 and RCW 41.32.050; repealing section 6, chapter 80, Laws of 1947, section 89, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.32.060; repealing section 7, chapter 80, Laws of 1947, section 2, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.070; repealing section 8, chapter 80, Laws of 1947 and RCW 41.32.080; repealing section 9, chapter 80, Laws of 1947 and RCW 41.32.090; repealing section 10, chapter 80, Laws of 1947, section 3, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.100; repealing section 3, chapter 274, Laws of 1947, section 2, chapter 291, Laws of 1961, section 2, chapter 174, Laws of 1963, section 3, chapter 271, Laws of 1971 ex. sess., section 3, chapter 190, Laws of 1973 1st ex. sess., section 1, chapter 195, Laws of 1974 ex. sess., section 1, chapter 34, Laws of 1977 ex. sess. and RCW 41.40.030; repealing section 4, chapter 274, Laws of 1947, section 3, chapter 291, Laws of 1961, section 3, chapter 174, Laws of 1963 and RCW 41.40.040; repealing section 5, chapter 274, Laws of 1947, section 90, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.050; repealing section 6, chapter 274, Laws of 1947, section 3, chapter 240, Laws of 1949, section 4, chapter 174, Laws of 1963 and RCW 41.40.060; repealing section 6, chapter 167, Laws of 1975 1st ex. sess., section 93, chapter 158, Laws of 1979 and RCW 43.19.580; repealing section 1, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.010; repealing section 2, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.020; repealing section 3, chapter 44, Laws of 1975 1st ex. sess., section 102, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.21E.030; repealing section 4, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.900; repealing section 6, chapter 44, Laws of 1975 1st ex. sess. and RCW 43.21E.910; repealing section 43.22.280, chapter 8, Laws of 1965, section 84, chapter 154, Laws of 1973 1st ex. sess., section 4, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.280; repealing section 43.31.090, chapter 8, Laws of 1965, section 1, chapter 292, Laws of 1975 1st ex. sess., section 108, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.090; repealing section 43.31.100, chapter 8, Laws of 1965 and RCW 43.31.100; repealing section 43.43.140, chapter 8, Laws of 1965 and RCW 43.43.140; repealing section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150; repealing section 43.43.160, chapter 8, Laws of 1965 and RCW 43.43.160; repealing section 43.51.520, chapter 8, Laws of 1965, section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520; repealing section 1, chapter 243, Laws of 1967 and RCW 43.94.010; repealing section 2, chapter 243, Laws of 1967 and RCW 43.94.020; repealing section 3, chapter 243, Laws of 1967 and RCW 43.94.030; repealing section 4, chapter 243, Laws of 1967 and RCW 43.94.040; repealing section 5, chapter 243, Laws of 1967 and RCW 43.94.050; repealing section 6, chapter 243, Laws of 1967 and RCW 43.94.900; repealing section 7, chapter 243, Laws of 1967 (uncodified); repealing section 1, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 2, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 3, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 43.97.020, chapter 8, Laws of 1965, section 1, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.020; repealing section 43.97.030, chapter 8, Laws of 1965, section 2, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.030; repealing section 43.97.040, chapter 8, Laws of 1965, section 3, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.040; repealing section 5, chapter 48, Laws of 1975 1st ex. sess., section 124, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.97.060; repealing section 6, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.070; repealing section 7, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.080; repealing section 41, chapter 99, Laws of 1979 and RCW 43.131.229; repealing section 83, chapter 99, Laws of 1979 and RCW 43.131.230; repealing section 13, chapter 49, Laws of 1974 ex. sess., section 163, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.106.130; repealing section 20, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.200; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 859, by Representatives Barnes, Nelson (G), Vander Stoep, Hine, Tupper, Winsley and Barr:

AN ACT Relating to environmental coordination procedures; amending section 1, chapter 185, Laws of 1973 1st ex. sess. as amended by section 1, chapter 54, Laws of 1977 and RCW 90.62.010; and amending section 6, chapter 185, Laws of 1973 1st ex. sess. as amended by section 5, chapter 54, Laws of 1977 and RCW 90.62.060.

To Committee on Energy and Utilities

HOUSE BILL NO. 860, by Representatives Mitchell, Prince, Stratton and Taylor:

AN ACT Relating to agencies serving children, developmentally disabled persons, or expectant mothers; amending section 2, chapter 172, Laws of 1967 as last amended by section 83, chapter 155, Laws of 1979 and RCW 74.15.020; amending section 5, chapter 172, Laws of 1967 as amended by section 357, chapter 141, Laws of 1979 and RCW 74.15.050; amending section 9, chapter 172, Laws of 1967 as amended by section 73, chapter 80, Laws of 1977 ex. sess. and RCW 74.15.090; amending section 10, chapter 172, Laws of 1967 as amended by section 360, chapter 141, Laws of 1979 and RCW 74.15.100; amending section 13, chapter 172, Laws of 1967 as amended by section 362, chapter 141, Laws of 1979 and RCW 74.15.130; amending section 14, chapter 172, Laws of 1967 as amended by section 363, chapter 141, Laws of 1979 and RCW 74.15.140; adding new sections to chapter 74.15 RCW; and prescribing penalties.

To Committee on Human Services

HOUSE BILL NO. 861, by Representatives Padden, Flanagan, Taylor and Mitchell:

AN ACT Relating to state lands; amending section 11.08.220, chapter 145, Laws of 1965 as amended by section 6, chapter 278, Laws of 1975 1st ex. sess. and RCW 11.08.220; adding a new section to chapter 43.30 RCW; and creating new sections.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 862, by Committee on Labor and Economic Development and Representatives Hankins, Scott, Eberle, Patrick, King (J), Lux and Clayton:

AN ACT Relating to financial interests in alcoholic beverage businesses; amending section 90-A added to chapter 62, Laws of 1933 ex. sess. by section 2, chapter 48, Laws of 1945 as last amended by section 1, chapter 23, Laws of 1979 ex. sess. and RCW 66.28.020; and repealing section 14, chapter 21, Laws of 1969 ex. sess., section 3, chapter 275, Laws of 1969 ex. sess., section 7, chapter 173, Laws of 1975 1st ex. sess., section 1, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.025.

To Committee on Labor and Economic Development

HOUSE BILL NO. 863, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to attorneys' fees; amending section 1, chapter 84, Laws of 1973 as amended by section 1, chapter 94, Laws of 1980 and RCW 4.84.250; and repealing section 7, chapter 84, Laws of 1973 and RCW 4.84.310.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 864, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to a state task force on court congestion; creating a new section; and declaring an emergency.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 865, by Committee on Appropriations - General Government and Representatives Williams, North and Stratton:

AN ACT Relating to the state parks and recreation commission; amending section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); and making appropriations.

To Committee on Appropriations - General Government

HOUSE BILL NO. 866, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to fees of notaries public; amending section 375, page 202, Laws of 1854 as last amended by section 1, chapter 146, Laws of 1949 and RCW 4.84.090; and amending section 1, chapter 56, Laws of 1907 as last amended by section 4, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.090.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 867, by Committee on Ethics, Law and Justice and Representatives Ellis and Wang:

AN ACT Relating to interest on judgments; and amending section 4, chapter 136, Laws of 1895 as last amended by section 5, chapter 94, Laws of 1980 and RCW 4.56.110.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 868, by Representatives Chamberlain, Heck, Maxie, Galloway and McDonald:

AN ACT Relating to funds received by the state in accordance with Title 16, section 500, United States Code; adding a new section to chapter 28A.02 RCW; and repealing section 36.33.110, chapter 4, Laws of 1963, section 1, chapter 140, Laws of 1965 ex. sess., section 1, chapter 230, Laws of 1967, section 15, chapter 359, Laws of 1977 ex. sess., section 10, chapter 154, Laws of 1980 and RCW 36.33.110.

To Committee on Appropriations - Education

HOUSE BILL NO. 869, by Representative Dawson:

AN ACT Relating to school district bonds; and amending section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010.

To Committee on Education

HOUSE BILL NO. 870, by Representatives Padden, Dawson, Stratton, Taylor, Lundquist, Johnson, Tilly and Mitchell:

AN ACT Relating to confinement of juveniles; and amending section 15, chapter 299, Laws of 1981 and RCW 13.40.185.

To Committee on Institutions

HOUSE BILL NO. 871, by Representatives Kreidler and Pruitt:

AN ACT Relating to funeral directors; adding a new section to chapter 18.39 RCW; and prescribing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 872, by Representatives Bickham, Amen, Nisbet, Tilly, Dickie, Smith, Flanagan, King (J), Mitchell and Lewis:

AN ACT Relating to blood banks; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an effective date.

To Committee on Human Services

HOUSE BILL NO. 873, by Representatives Tilly, Ellis, Johnson and Barr:

AN ACT Relating to criminal procedure; and creating a new chapter in Title 10 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 874, by Representatives Houchen, Struthers and Wang:

AN ACT Relating to sentencing; amending section 3, chapter 137, Laws of 1981 and RCW 9.94A.030; amending section 4, chapter 137, Laws of 1981 and RCW 9.94A.040; amending section 5, chapter 137, Laws of 1981 and RCW 9.94A.050; amending section 12, chapter 137, Laws of 1981 and RCW 9.94A.120; amending section 14, chapter 137, Laws of 1981 and RCW 9.94A.140; amending section 15, chapter 137, Laws of 1981 and RCW 9.94A.150; amending section 21, chapter 137, Laws of 1981 and RCW 9.94A.210; amending section 24, chapter 137, Laws of 1981 and RCW 9.95.009; amending section 9A.20.020, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 37, chapter 137, Laws of 1981 and RCW 9A.20.020; reenacting and amending section 4, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 57, chapter 136, Laws of 1981 and by section 36, chapter 137, Laws of 1981 and RCW 9A.44.040; and adding a new section to chapter 9A.20 RCW.

To Committee on Institutions

HOUSE BILL NO. 876, by Representatives Leonard, Bond, Barrett and McCormick:

AN ACT Relating to plat approval; and amending section 14, chapter 271, Laws of 1969 ex. sess. as last amended by section 7, chapter 293, Laws of 1981 and RCW 58.17.140.

To Committee on Local Government

HOUSE BILL NO. 877, by Representatives Cantu, Martinis, Sanders, Chandler, Isaacson, Hankins, Johnson, Teutsch, Struthers, Patrick, Garrett, McDonald, Gallagher, Hastings, Winsley, Lundquist and Lewis (by Department of Transportation request):

AN ACT Relating to highway construction; amending section 1, chapter 316, Laws of 1981 and RCW 47.10.801; amending section 2, chapter 316, Laws of 1981 and RCW 47.10.802; amending section 1, chapter 180, Laws of 1979 ex. sess. as amended by section 10, chapter 316, Laws of 1981 and RCW 47.10.790; amending section 18, chapter 317, Laws of 1981 (uncodified); making appropriations; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 878, by Committee on Deregulation and Productivity and Representatives Williams, Johnson, Hastings, Wang, Addison, James and Greengo:

AN ACT Relating to state government; amending section 1, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.250; amending section 4, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.280; amending section 5, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.290; amending section 6, chapter 33, Laws of 1971 ex. sess. and RCW 15.13.300; amending section 38, chapter 63, Laws of 1969 as amended by section 15, chapter 297, Laws of 1981 and RCW 15.49.380; amending section 39, chapter 63, Laws of 1969 and RCW 15.49.390; amending section 3, chapter 190, Laws of 1971 ex. sess. as amended by section 1, chapter 146, Laws of 1979 and RCW 15.58.030; amending section 18, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.180; amending section 19, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.190; amending section 1, chapter 38, Laws of 1963 as amended by section 5, chapter 90, Laws of 1979 and RCW 18.64.011; amending section 17, chapter 90, Laws of 1979 and RCW 18.64.044; amending section 1, chapter 319, Laws of 1977 ex. sess. and RCW 19.02.010; amending section 2, chapter 319, Laws of 1977 ex. sess. as amended by section 75, chapter 158, Laws of 1979 and RCW 19.02.020; amending section 3, chapter 319, Laws of 1977 ex. sess. as amended by section 76, chapter 158, Laws of 1979 and RCW 19.02.030; amending section 4, chapter 319, Laws of 1977 ex. sess. as amended by section 77, chapter 158, Laws of 1979 and RCW 19.02.040; amending section 7, chapter 319, Laws of 1977 ex. sess. as amended by section 79, chapter 158, Laws of 1979 and RCW 19.02.070; amending section 2, chapter 117, Laws of 1943 and RCW 19.32.020; amending section 3, chapter 117, Laws of 1943 and RCW 19.32.040; amending section 4, chapter 117, Laws of 1943 as amended by section 39, chapter 240, Laws of 1967 and RCW 19.32.050; amending section 1, chapter 286, Laws of 1957 as last amended by section 1, chapter 107, Laws of 1979 and RCW 19.91.010; amending section 13, chapter 286, Laws of 1957 as amended by section 14, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.130; amending section 14, chapter 286, Laws of 1957 as amended by section 15, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.140; amending section 15, chapter 286, Laws of 1957 as amended by section 16, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.150; amending section 2, chapter 137, Laws of 1937 and RCW 69.12.020; amending section 3, chapter 137, Laws of 1937 and RCW 69.12.030; amending section 4, chapter 137, Laws of 1937 and RCW 69.12.040; amending section 5, chapter 137, Laws of 1937 as amended by section 44, chapter 240, Laws of 1967 and RCW 69.12.050; amending section 3, chapter 201, Laws of 1975 1st ex. sess. and RCW 69.25.020; amending section 6, chapter 201, Laws of 1975 1st ex. sess. and RCW 69.25.050; amending section 7, chapter 201, Laws of 1975 1st ex. sess. and RCW 69.25.060; amending section 82.24.010, chapter 15, Laws of 1961 and RCW 82.24.010; adding a new section to chapter 15.49 RCW; adding new sections to chapter 19.02 RCW; adding a new section to chapter 43.07 RCW; creating new sections; repealing section 82.24.220, chapter 15, Laws of 1961, section 69, chapter 278, Laws of 1975 1st ex. sess.; section 8, chapter 319, Laws of 1977 ex. sess. and RCW 82.24.220; repealing section 6, chapter 319, Laws of 1977 ex. sess. and RCW 19.02.060; and declaring an emergency.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 879, by Representatives Sherman, Ehlers, Heck, Grimm, Armstrong, Bender, Brekke, Brown, Burns, Cole, Erak, Gallagher, Galloway, Granlund, Hine, Kaiser, King (J), King (R), Lux, Martinis, Maxie, McCormick, Monohon, North, O'Brien, Owen, Pruitt Rinehart, Rust, Scott, Sommers, Thompson, Valle, Walk, Wang and Stratton:

AN ACT Relating to ballot format; amending section 60, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.081; amending section 61, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.091; amending section 48, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.470; amending section 49, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.480; repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971, section 14, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.080; and repealing section 29.30.100, chapter 9, Laws of 1965, section 15, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.100.

To Committee on State Government

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 12, 1982

SUBSTITUTE HOUSE BILL NO. 95, Prime Sponsor: Committee on State Government, removing 30-day limit on the amount of vacation leave state employees may accrue. Reported by Committee on Rules.

Rereferred to Committee on State Government.

January 12, 1982

HOUSE BILL NO. 378, Prime Sponsor: Committee on Labor and Economic Development, revising laws regulating cosmetology. Reported by Committee on Rules.

Rereferred to Committee on Labor and Economic Development.

January 12, 1982

SUBSTITUTE HOUSE BILL NO. 424, Prime Sponsor: Committee on Transportation, modifying procedures for public transportation benefit areas. Reported by Committee on Rules.

Rereferred to Committee on Transportation.

January 12, 1982

HOUSE BILL NO. 595, Prime Sponsor: Committee on Transportation, modifying the allocation of motor vehicle fund distributions to counties. Reported by Committee on Rules.

Rereferred to Committee on Transportation.

January 12, 1982

SUBSTITUTE HOUSE BILL NO. 658, Prime Sponsor: Committee on Energy and Utilities, providing energy conservation procedures for state buildings. Reported by Committee on Rules.

Rereferred to Committee on Energy and Utilities.

January 12, 1982

SUBSTITUTE HOUSE BILL NO. 733, Prime Sponsor: Committee on State Government, extending provisions permitting deductions from state retirement benefits. Reported by Committee on Rules.

REREFERRED: From Committee on Rules to Committee on State Government.

January 12, 1982

ENGROSSED HOUSE BILL NO. 735, Prime Sponsor: Committee on Energy and Utilities, establishing ownership of solid waste. Reported by Committee on Rules.

REREFERRED: From Committee on Rules to Committee on Energy and Utilities.

January 12, 1982

HOUSE BILL NO. 736, Prime Sponsor: Committee on State Government, allowing the state employees insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board. Reported by Committee on Rules.

REREFERRED: From Committee on Rules to Committee on State Government.

January 12, 1982

HOUSE BILL NO. 820, Prime Sponsor: Representative Mitchell, defining crimes concerning imitation controlled substances. Reported by Committee on Rules

REREFERRED: From Committee on Ethics, Law and Justice to Committee on Human Services.

January 12, 1982

HOUSE BILL NO. 823, Prime Sponsor: Representative Bickham, requiring notice to property owner and occupant before issuing local improvement assessment deeds. Reported by Committee on Rules.

REREFERRED: From Committee on Local Government to Committee on Ethics, Law and Justice.

January 12, 1982

HOUSE BILL NO. 847, Prime Sponsor: Representative Barnes, revising maximum interest paid by operating agencies. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, James, Kreidler, Leonard, North, Stratton, Van Dyken.

Voting nay: Representative Garrett.

Not attending: Representatives Monohon, Tilly.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 11, by Committee on State Government (originally sponsored by Representatives Flanagan, Greengo, Smith and Teutsch):

Requiring information on bond measures to be disclosed in the voters' pamphlet.

MOTION

ON motion of Mr. Nelson (G), the rules were suspended, and Engrossed Substitute House Bill No. 11 was returned to second reading for the purpose of amendment.

MOTION

On motion of Mr. Nelson (G), Substitute House Bill No. 15 was placed on the top of the calendar for immediate consideration.

SUBSTITUTE HOUSE BILL NO. 15, by Committee on Ethics, Law and Justice (originally sponsored by Representatives Tilly and Patrick):

Regulating the forfeiture of property exchanged for controlled substances.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 15, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Johnson.

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

SUBSTITUTE HOUSE BILL NO. 43, by Committee on State Government (originally sponsored by Representatives Tilly, Patrick, Teutsch, Dawson, Berleen, Fiske and Maxie):

Allowing voters confined to a hospital on election day to apply for and vote an absentee ballot.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 43, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Hankins, Lundquist, Prince, Schmidt, Wilson.

Not voting: Representatives Fancher, McDonald.

Substitute House Bill No. 43, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 46, by Representatives Owen, Nisbet, Brown and Rosbach:

Protecting shellfish pots.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 46, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, Monohon.

Not voting: Representatives Fancher, McDonald.

Engrossed House Bill No. 46, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 70, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Representatives Martinis and Rosbach):

Providing for the distribution of federal funds for fish restoration and management projects.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 70, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, McDonald.

Substitute House Bill No. 70, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 131, by Committee on Natural Resources and Environmental Affairs and Representative Rosbach:

Changing minimum value requirement and method of payment for sales of public land and materials.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 131, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Maxie, Valle.

Not voting: Representatives Fancher, McDonald.

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

SUBSTITUTE HOUSE BILL NO. 135, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Sanders):

Modifying provisions relating to forest protection.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 135, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, McDonald.

Substitute House Bill No. 135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 174, by Committee on Labor and Economic Development (originally sponsored by Committee on Labor and Economic Development and Representative Mitchell):

Modifying licensing requirements for podiatrists.

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

Representatives Williams and James spoke against passage of the bill, and Representatives Rinehart and Sanders spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 174, and the bill passed the House by the following vote: Yeas, 74; nays, 21; not voting, 3.

Voting yea: Representatives Addison, Amen, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Eberle, Ehlers, Ellis, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Dawson, Dickie, Eng, Fiske, Greengo, Hastings, Houchen, James, Leonard, Lewis, Lundquist, Owen, Padden, Schmidt, Sprague, Teutsch, Vander Stoep, Williams.

Not voting: Representatives Armstrong, Fancher, McDonald.

Substitute House Bill No. 174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I hereby declare that I would have voted Yes on Substitute House Bill No. 174 on January 13, 1982.

SETH ARMSTRONG, 36th District.

ENGROSSED HOUSE BILL NO. 183, by Committee on State Government and Representatives Garson and Kreidler:

Establishing the 1989 Washington state centennial commission.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 183, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Ehlers.

Not voting: Representatives Fancher, McDonald.

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

STANDING COMMITTEE APPOINTMENTS

The Speaker announced the following changes in standing committee appointments:

Committee on Human Services: Representative Cole replacing Representative Gruger;

Committee on Institutions: Representative Scott replacing Representative Nelson (D);

Committee on Labor and Economic Development: Representative Cole replacing Representative Scott; and Representative King (J) as Ranking Minority Member;

Committee on Local Government: Representative Cole replacing Representative Monohon;

Committee on Appropriations - General Government: Representative Monohon replacing Representative Gruger;

Select Committee on Corrections Standards Board: Representative Sommers replacing Representative Becker;

Select Committee on Local Government Finances: Representative Hine replacing Representative Gruger.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 787, by Representatives Eberle, Sanders and Prince:

Providing for congressional redistricting and reapportionment.

The bill was read the second time. On motion of Mr. Eberle, Substitute House Bill No. 787 was substituted for House Bill No. 787, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 787 was read the second time.

Mr. Bender moved adoption of the following amendment by Representatives Bender, Ehlers, Grimm, Heck, King (R), Martinis, King (J), Wang, Becker, Valle, Kaiser, Gallagher, Rinehart, Thompson, Cole, Maxie, North, O'Brien, Hine, Rust, Sherman, Walk, Galloway, Kreidler, Pruitt, Scott, Armstrong, Brekke, Granlund, Eng, Lux, Burns, Nelson (D) and McCormick:

Beginning on page 1, line 5 after "Section 1." strike all material down to and including "affected." page 21, line 19 and insert the following:

* Article II, section 3 and Article XXVII, section 13 of the Washington state constitution require that the legislature apportion and district anew the members of the senate and house of representatives, and divide the state into congressional districts, according to the number of inhabitants.

The legislature declares its intent that any redistricting law enacted by the legislature in 1981 be repealed.

Sec. 2. The definitions set forth in this section apply throughout this chapter, unless the context requires otherwise.

(1) 'Chief election officer' means the secretary of state.

(2) 'Federal census' means the decennial census required by federal law to be prepared by the United States bureau of the census in 1990 and each year ending in zero thereafter.

(3) 'Lobbyist' means an individual required to register with the Washington public disclosure commission pursuant to RCW 42.17.150.

(4) 'Plan' means a plan for legislative redistricting mandated by Article II, section 3 of the state Constitution.

(5) 'Political party office' means any elected or appointed office in any major or minor political party recognized by the laws of this state, including but not limited to the office of party precinct committee person.

(6) 'Public office' means any elected or appointed office or employment in the executive, judicial, or legislative branch or in any agency, commission, or organization of the federal, state, or local government.

Sec. 3. A legislative redistricting commission shall be established on or before March 15, 1982, to provide for the apportionment and redistricting of this state. The five-member commission shall be appointed as follows:

(1) Each leader of the two largest political parties in each house of the legislature shall appoint one member.

(2) The four appointed members, by an affirmative vote of at least three, shall appoint the fifth member who shall be a nonvoting member and serve as chairman.

(3) If, by March 25, 1982, three of the four appointed members fail to select a fifth member pursuant to subsection (2) of this section, the supreme court shall appoint the fifth member by April 15, 1982.

(4) A vacancy on the commission shall be filled by the person who made the initial appointment, or the successor of the person making the original appointment, within fifteen days after the vacancy occurs.

Sec. 4. No person may be appointed to the commission who:

(1) Is not a registered voter of the state at the time of selection;

(2) Holds or has held public office or political party office within one year prior to selection;

(3) Is a relative of or is employed by a member of the state house of representatives or the state senate;

(4) Is or has within one year prior to selection been a registered lobbyist.

Sec. 5. No member of the commission may:

(1) Hold or campaign for public or political party office while a member of the commission; or

(2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission.

Sec. 6. (1) The commission shall select a competent person or persons to prepare a plan dividing the state into legislative and congressional districts.

(2) The commission may employ the services of experts, consultants, and support staff, including attorneys not employed by the attorney general, as necessary to carry out its duties pursuant to this chapter. The chief election officer, the treasurer, and the attorney general shall make available to the commission such personnel, facilities, and other assistance as the commission may reasonably request.

(3) The commission, upon written request by a witness and subject to rules promulgated by the commission, may reimburse witnesses for their necessary expenses incurred in appearing before the commission.

(4) The legislature shall appropriate funds to enable the commission to carry out its duties. Members shall receive one hundred dollars of compensation for each day spent in the performance of their duties and reimbursement for actual and necessary expenses. Compensation and reimbursement of employees for actual and necessary expenses shall be determined by the commission.

Sec. 7. In addition to other duties prescribed by law, the commission shall:

(1) Adopt rules pursuant to the Administrative Procedure Act, chapter 34.04 RCW, to carry out the provisions of Article II, section 3 of the state Constitution and of this chapter, which rules shall provide that three voting members of the commission constitute a quorum to do business, and that the votes of a majority of the members present are required for any official action of the commission;

(2) The commission shall act as the legislature's recipient of redistricting data and maps from the United States Bureau of the Census. Upon receipt of the data and maps, the commission shall promptly provide copies to the secretary of the senate and chief clerk of the house of representatives.

(3) Preserve all information filed with and developed by the commission pursuant to public records statutes, chapter 42.17 RCW;

(4) Hold open meetings pursuant to the Open Public Meetings Act, chapter 42.30 RCW;

(5) Prepare and maintain minutes pursuant to RCW 42.32.030;

(6) Prepare and publish a report with the plan; the report will be made available to the public at the time the plan is published. The report shall include but shall not be limited to: (a) The population and percentage deviation from the average district population for every district; (b) an explanation of the criteria

used in developing the plan with a justification of any deviation in a district from the average district population; (c) a map of all the districts; and (d) the cost incurred by the counties for adjusting precinct boundaries.

Sec. 8. In the commission's plan:

(1) Districts shall have a population as nearly equal as is practicable, excluding nonresident military personnel and their dependents, based on the population reported in the federal decennial census.

(2) To the extent consistent with other criteria of this section, district lines shall be drawn so as to coincide with the boundaries of local political subdivisions. The number of counties and municipalities divided among more than one district shall be as small as possible.

(3) Districts shall be composed of convenient, contiguous, and compact territory. Land areas are deemed contiguous if they share a common land border or are connected by a highway, bridge, or tunnel. Areas separated by unbridged water are deemed contiguous to the nearest land area only where necessary to comply with the other criteria enumerated in the Constitution and this section. Areas which only share common borders at the points of adjoining corners may not be deemed contiguous. Areas separated by geographical boundaries or artificial barriers that prevent transportation within a district may not be deemed contiguous.

(4) No district may be drawn for the purpose of favoring any political party, incumbent legislator, or other person or group.

(5) No district may be drawn for the purpose of diluting the voting strength of any language or racial minority group.

(6) The commission shall provide, whenever practicable, that a precinct shall be wholly within a single legislative district.

Sec. 9. (1) The commission shall adopt the redistricting plan with the approval of three of the four voting members of the commission, and shall adopt the plan not later than May 5, 1982.

(2) If three of the four voting members fail to approve a plan within the time limitation provided in subsection (1) of this section, the supreme court shall adopt a plan by May 31, 1982.

(3) The plan shall take effect upon approval by the commission, or the supreme court if the commission fails, and shall constitute the districts for the legislative and congressional elections held in the year ending in two and, thereafter, for each legislative and congressional election held until a new plan is adopted according to this chapter. Any revision by the legislature of the redistricting plan shall be approved by two-thirds of the members elected to each house thereof.

Sec. 10. (1) Following the period provided by section 9(2) of this act for the commission's adoption of a plan, the commission shall take all necessary steps to conclude its business and cease operations. The commission shall prepare a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties under this chapter, data collected, minutes of meetings, written communications, and other information of a similar nature. The commission shall provide for the permanent preservation of this official record. Once the commission ceases to exist, any budget surplus shall revert to the state general fund.

(2) The commission shall cease to exist forty-five days after the date established by section 9(2) of this act for submission of a plan unless the supreme court extends the commission's term.

Sec. 11. After the plan is approved as provided in section 9 of this act, any registered voter may file a petition with the supreme court challenging the plan. The court may consolidate any or all petitions and shall give all such petitions precedence over all other matters.

Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Sec. 13. Sections 1 through 11 of this act shall constitute a new chapter in Title 44 RCW.

Sec. 14. The following acts or parts of acts are each repealed:

(1) Chapter 288, Laws of 1981 and chapter 44.07B RCW are each hereby repealed; and

(2) Any other act of the forty-seventh legislature establishing or modifying legislative or congressional district boundaries."

Renumber the remaining section consecutively.

Representatives Bender and Tupper spoke in favor of the amendment, and Mr. Eberle spoke against it.

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

Mr. King (R) spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Bender yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Bender, your amendment completely takes the legislature out of redistricting. Doesn't this require a constitutional amendment?"

Mr. Bender: "My understanding is 'no', because it is only a one-time situation. We have to redistrict again in 1990 and we are saying this is the intent for this one time only which will put us up before an independent commission for redistricting and, then in 1983, we will come

back and ask for a constitutional amendment to take it completely out of our hands in the future."

Representatives Flanagan, Prince, Taylor, Barnes, Ellis, Bond, Padden and Williams spoke against the amendment, and Representatives Martinis, Heck, Rinehart, Nelson (D), Bender, Ehlers and Armstrong spoke in favor of it.

Representative Taylor again spoke in opposition to the amendment.

Mr. O'Brien demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bender and others to Substitute House Bill No. 787, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, McDonald.

Mr. Van Dyken moved adoption of the following amendment:

On page 12, beginning on line 3 through line 9 strike all of subsection (1) and renumber the remaining subsections consecutively.

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Van Dyken, since the unamended version of this bill allows the legislature the final say and a part of the legislature has just finished drawing boundaries for legislative districts, and it has, at least in some people's opinion, offended the concept of community of interest, yet it has drawn boundaries that have taken into account population and has allowed some variance that the court would allow, what makes you think your amendment would keep communities of interest intact, given the fact the legislature will continue to be doing the job?"

Mr. Van Dyken: "Representative Nelson, you bring up a good argument in favor of my amendment. There are two important factors. Number one, I think the legislature, given the situation in which we are existing, did a very good job of protecting community of interest in trying to negotiate a workable bill. Number two, I am an advocate of an independent redistricting commission. Even the words in this bill are not totally to my satisfaction. I would prefer to have a totally constitutionally independent commission. Note please that in section 19 of this bill, the legislature cannot amend whatever plan would come from this commission ten years hence. They cannot amend it. What I am doing is allowing the commission the latitude to consider the community of interest and not the legislature to have that community of interest. The commission would be coming with a plan that could not be amended by the legislature to that body to accept or reject."

Representatives Nelson (D) and Becker spoke against the amendment, and Representatives Eberle and Padden spoke in favor of it.

Mr. Van Dyken spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken to Substitute House Bill No. 787, and the amendment was not adopted by the following vote: Yeas, 37; nays, 59; not voting, 2.

Voting yea: Representatives Amen, Barr, Barrett, Berleen, Bond, Clayton, Dawson, Eberle, Ellis, Fiske, Flanagan, Garson, Hastings, Houchen, James, Leonard, McGinnis, Mitchell, Nickell, Padden,

Patrick, Prince, Rosbach, Sanders, Schmidt, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barnes, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dickie, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Smith, Sommers, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke.

Not voting: Representatives Fancher, McDonald.

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I'm raising a question of the fact that you have two subject matters encompassed in one bill. It's my feeling that the object and scope of the bill should pertain to the question of redistricting and reapportionment only. When you set forth to include a portion relative to the commission, you have two matters within one bill. The Supreme Court has considered this, in some instances, to be a double-headed monster. In this instance, I believe, Mr. Speaker, that the two subject matters should be separated and included in separate bills."

SPEAKER'S RULING

The Speaker: "Representative O'Brien, in examining the situation, it would be my personal feeling that the subject matters you are concerned about are so closely related that it is very difficult to distinguish between the two. I have chosen to rely on long distinguished parliamentarians who have ruled many times in this Chamber that a constitutional provision is not appropriate for the Speaker to rule upon. Under the advice and counsel of former Speaker O'Brien, and the long-standing rulings you have put forth to guide this body, I will submit to that and decline to rule on the question."

Substitute House Bill No. 787 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, January 14, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 14, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

MESSAGES FROM THE SENATE

January 13, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 32,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 13, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3017,
 SENATE BILL NO. 3121,
 ENGROSSED SENATE BILL NO. 3145,
 ENGROSSED SENATE BILL NO. 3233,
 ENGROSSED SENATE BILL NO. 3242,
 ENGROSSED SENATE BILL NO. 3297,
 ENGROSSED SENATE BILL NO. 3301,
 SUBSTITUTE SENATE BILL NO. 3363,
 SUBSTITUTE SENATE BILL NO. 3582,
 SUBSTITUTE SENATE BILL NO. 3743,
 SUBSTITUTE SENATE BILL NO. 3927,
 SENATE BILL NO. 4199,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 875, by Representatives Lundquist, Walk and Addison (by Governor Spellman request):

AN ACT Relating to state government; adding new sections to chapter 43.131 RCW; repealing section 1, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.010; repealing section 2, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.020; repealing section 3, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.030; repealing section 4, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.040; repealing section 5, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.050; repealing section 6, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.060; repealing section 8, chapter 115, Laws of 1975-'76 2nd ex. sess. and RCW 43.60A.070; repealing section 1, chapter 226, Laws of 1949 and RCW 18.04.020; repealing section 2, chapter 226, Laws of 1949 and RCW 18.04.030; repealing section 3, chapter 226, Laws of 1949 and RCW 18.04.040; repealing section 4, chapter 226, Laws of 1949 and RCW 18.04.050; repealing section 5, chapter 226, Laws of 1949 and RCW 18.04.060; repealing section 6, chapter 226, Laws of 1949, section 1, chapter 294, Laws of 1961 and RCW 18.04.070; repealing section 7, chapter 226, Laws of 1949, section 25, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.04.080; repealing section 8, chapter 226, Laws of 1949 and RCW 18.04.090; repealing section 9, chapter 226, Laws of 1949, section 8, chapter 75, Laws of 1977 and RCW 18.04.100; repealing section 1, chapter 98, Laws of 1935, section 16, chapter 38, Laws of 1963, section 1, chapter 18, Laws of 1973 1st ex. sess., section 17, chapter 338, Laws of 1981 and RCW 18.64.001; repealing section 2, chapter 98, Laws of 1935, section 17, chapter 38, Laws of 1963, section 40, chapter 34, Laws of 1975-'76 2nd ex. sess., section 1, chapter 90, Laws of 1979 and RCW 18.64.003; repealing section 3, chapter 98, Laws of 1935, section 18, chapter 38, Laws of 1963, section 2, chapter 18, Laws of 1973 1st ex. sess., section 2, chapter 90, Laws of 1979, section 21, chapter 67, Laws of 1981 and RCW 18.64.005; repealing section 19, chapter 38, Laws of 1963, section 3, chapter 90, Laws of 1979 and RCW 18.64.007; repealing section 1, chapter 82, Laws of 1969 ex. sess., section 4, chapter 90, Laws of 1979 and RCW 18.64.009; repealing section 1, chapter 6, Laws of 1972 ex. sess. and RCW 38.52.005; repealing section 2, chapter 6, Laws of 1972 ex. sess. and RCW 38.52.006; repealing section 4, chapter 178, Laws of 1951, section 3, chapter 203, Laws of 1967, section 58, chapter 154, Laws of 1973 1st ex. sess., section 3, chapter 113, Laws of 1975 1st ex.

sess. and RCW 38.52.030; and repealing section 16, chapter 289, Laws of 1977 ex. sess., section 3, chapter 22, Laws of 1979 and RCW 43.131.900.

To Committee on State Government

HOUSE BILL NO. 880, by Representatives Garson, Wang and Granlund:

AN ACT Relating to fishing licenses for senior citizens; amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 27, chapter 310, Laws of 1981 and RCW 77.32.230; and adding a new section to chapter 77.32 RCW.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 881, by Representative Pruitt:

AN ACT Relating to advertising of gasoline prices; adding a new section to chapter 9.04 RCW; and prescribing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 882, by Representatives Dickie, Lewis, King (J) and Salatino:

AN ACT Relating to assignment of health care insurance payments; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 883, by Representatives Garson, Clayton, Martinis, Patrick, Walk, Wilson, Hankins and McCormick:

AN ACT Relating to hazardous materials liability; adding new sections to chapter 4.24 RCW; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 884, by Committee on Ethics, Law and Justice and Representative Ellis (by Code Reviser request):

AN ACT Relating to the correction of various state statutes necessitated by the amendment and/or repeal thereof in two or more laws which were enacted without reference to the other; correcting certain internal references, punctuation and nomenclature therein; amending and reenacting section 5, chapter 64, Laws of 1895 as last amended by section 1, chapter 149, Laws of 1981 and by section 17, chapter 304, Laws of 1981 and RCW 6.12.100; reenacting section 9A.32.040, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 21, chapter 138, Laws of 1981 and RCW 9A.32.040; reenacting section 4, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 36, chapter 137, Laws of 1981 and RCW 9A.44.040; reenacting section 3, chapter 172, Laws of 1923 as last amended by section 20, chapter 302, Laws of 1981 and by section 1, chapter 312, Laws of 1981 and RCW 31.04.040; reenacting section 1, chapter 234, Laws of 1959 as last amended by section 1, chapter 183, Laws of 1981 and by section 2, chapter 324, Laws of 1981 and RCW 34.04.010; reenacting section 4, chapter 167, Laws of 1974 ex. sess. as amended by section 3, chapter 25, Laws of 1981 and by section 2, chapter 319, Laws of 1981 and RCW 36.57.040; reenacting section 9, chapter 189, Laws of 1967 as last amended by section 2, chapter 45, Laws of 1981 and by section 9, chapter 332, Laws of 1981 and RCW 36.93.090; reenacting section 2, chapter 6, Laws of 1977 as amended by section 16, chapter 311, Laws of 1981 and by section 20, chapter 338, Laws of 1981 and RCW 41.06.110; reenacting section 73, chapter 151, Laws of 1979 as last amended by section 15, chapter 67, Laws of 1981 and by section 20, chapter 311, Laws of 1981 and RCW 42.17.240; reenacting section 16, chapter 3, Laws of 1981 as amended by section 5, chapter 219, Laws of 1981 and by section 1, chapter 242, Laws of 1981 and RCW 43.33A.160; amending and reenacting section 43.88.160, chapter 8, Laws of 1965 as last amended by section 11, chapter 270, Laws of 1981 and by section 7, chapter 280, Laws of 1981 and RCW 43.88.160; amending and reenacting section 2, chapter 136, Laws of 1979 ex. sess. as last amended by section 1, chapter 19, Laws of 1981 and by section 2, chapter 318, Laws of 1981 and RCW 46.63.020; reenacting section 13, chapter 136, Laws of 1979 ex. sess. as last amended by section 6, chapter 19, Laws of 1981 and by section 7, chapter 330, Laws of 1981 and RCW 46.63.110; reenacting section 10, chapter 147, Laws of 1974 ex. sess. as amended by section 1, chapter 31, Laws of 1981 and by section 2, chapter 121, Laws of 1981 and RCW 70.37.100; reenacting section 2, chapter 207, Laws of 1975 1st ex. sess. as amended by section 51, chapter 78, Laws of 1980 and by section 43, chapter 3, Laws of 1981 and RCW 77.12.323; reenacting section 82.04.260, chapter 15, Laws of 1961 as last amended by section 3, chapter 172, Laws of 1981 and by section 1, chapter 178, Laws of 1981 and RCW 82.04.260; repealing section 1, chapter 175, laws of 1969 ex. sess., section 1, chapter 258, Laws of 1981 and RCW 9.41.025; repealing section 55, chapter 136, Laws of 1981; repealing section 57, chapter 136, Laws of 1981; repealing section 3, chapter 9, Laws of 1975-76 2nd ex. sess., section 6, chapter 206, Laws of 1977 ex. sess., section 56, chapter 136, Laws of 1981 and RCW 9A.32.047; repealing section 10, chapter 177, Laws of 1963, section 1, chapter 15, Laws of 1975 1st ex. sess., section 1, chapter 24, Laws of 1980 and RCW 77.20.015; and declaring an emergency.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 885, by Representatives Patrick, O'Brien, Wilson, Burns, Prince, Grimm, Winsley, Bender, Tupper, Lux, Van Dyken, Valle, Mitchell, Nelson (D), Leonard, Kreidler, Houchen, Eng, Ellis and Wang:

AN ACT Relating to cigarette taxes; and amending section 2, chapter 59, Laws of 1979 ex. sess. and RCW 82.24.025.

To Committee on Revenue

HOUSE BILL NO. 886, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to the court of appeals; and amending section 4, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 41, Laws of 1971 and RCW 2.06.040.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 887, by Committee on Ethics, Law and Justice and Representative Ellis and Wang:

AN ACT Relating to mandatory arbitration of civil actions; and amending section 2, chapter 103, Laws of 1979 and RCW 7.06.020.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 888, by Representatives Nickell, Houchen and Granlund (by Secretary of State request):

AN ACT Relating to ballot format; amending section 60, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.081; amending section 61, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.091; amending section 48, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.470; amending section 49, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.480; repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971, section 14, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.080; and repealing section 29.30.100, chapter 9, Laws of 1965, section 15, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.100.

To Committee on State Government

HOUSE BILL NO. 889, by Representatives Sprague, McCormick, Wang, Struthers, McGinnis, Bender and Monohon:

AN ACT Relating to revenue and taxation; adding a new chapter to Title 43 RCW; providing an effective date; and providing an expiration date.

To Committee on Revenue

HOUSE BILL NO. 890, by Representatives Dawson and Isaacson:

AN ACT Relating to fire district bidding requirements; and amending section 1, chapter 176, Laws of 1953 as amended by section 2, chapter 101, Laws of 1972 ex. sess. and RCW 52.12.110.

To Committee on Local Government

HOUSE BILL NO. 891, by Committee on Financial Institutions and Insurance and Representatives Dawson, Wang and Bickham:

AN ACT Relating to medicare supplemental health insurance; amending section 2, chapter 153, Laws of 1981 and RCW 48.66.020; amending section 10, chapter 153, Laws of 1981 and RCW 48.66.100; amending section 12, chapter 153, Laws of 1981 and RCW 48.66.120; adding a new section to chapter 48.66 RCW; repealing section 3, chapter 153, Laws of 1981 and RCW 48.66.030; repealing section 4, chapter 153, Laws of 1981 and RCW 48.66.040; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 892, by Committee on Financial Institutions and Insurance and Representatives Dawson, Granlund and Bickham:

AN ACT Relating to casualty insurance; amending section 27, chapter 150, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1981 and RCW 48.22.030; amending section 3, chapter 95, Laws of 1967 ex. sess. as amended by section 2, chapter 117, Laws of 1980 and RCW 48.22.040; and creating a new section.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 893, by Representatives Sommers and Smith:

AN ACT Relating to alcoholic beverage taxation; amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.08.180; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as

last amended to section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; repealing section 5, chapter 5, Laws of 1981 1st ex. sess. and RCW 28B.30.067; repealing section 7, chapter 5, Laws of 1981 1st ex. sess. and RCW 28B.30.068; and providing an effective date.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 17, by Representative Hastings:

Removing superintendent of public instruction as part of the executive department under state Constitution.

To Committee on Education

HOUSE JOINT RESOLUTION NO. 18, by Representatives Sprague and Monohon:

Authorizing property tax credits for businesses locating in economically depressed areas.

To Committee on Revenue

SENATE BILL NO. 3017, by Senators Rasmussen and Deccio (by Legislative Budget Committee request):

Deleting references to veterans' loan insurance.

To Committee on Financial Institutions and Insurance

SENATE BILL NO. 3121, by Senators Haley and Moore:

Deregulating the sale of prophylactics.

To Committee on Human Services

ENGROSSED SENATE BILL NO. 3145, by Senators Hayner and Talmadge:

Clarifying the authority of professional service corporations and their members.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 3233, by Senators von reichbauer and Guess (by State Patrol request):

Revising vehicle accident reporting procedure.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

To Committee on Education

ENGROSSED SENATE BILL NO. 3297, by Senators Vognild, Gaspard, Hansen, Quigg and Gallagher (by Senate Oversight Committee on Arson request):

Permitting anti-arson requirements to be met for issuing or continuing fire insurance policies.

To Committee on Financial Institutions and Insurance

ENGROSSED SENATE BILL NO. 3301, by Senators Wilson and Deccio:

Permitting counties to set the rates at which fines of county prisoners are reduced.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 3363, by Committee on Agriculture (originally sponsored by Senators Wilson, Jones, Hansen and Gaspard):

Providing for payment by irrigation districts of defense and judgments of employees acting in official capacity.

To Committee on Agriculture

SUBSTITUTE SENATE BILL NO. 3582, by Committee on Social and Health Services (originally sponsored by Senators Lee, Moore, Kiskaddon and Ridder):

Providing for reports of abuse of dependent elderly persons.

To Committee on Human Services

SUBSTITUTE SENATE BILL NO. 3743, by Committee on Ways and Means (originally sponsored by Senators Gallagher, Rasmussen and Scott – by Department of Retirement request):

Modifying the judicial retirement for disability statutes.

To Committee on Appropriations – General Government

SUBSTITUTE SENATE BILL NO. 3927, by Committee on Transportation (originally sponsored by Senators Charnley, Guess and Patterson – by Utilities and Transportation Commission request):

Funding installation of railroad crossing protective devices.

To Committee on Transportation

SENATE BILL NO. 4199, by Senators Craswell, Gallagher, Gould and Moore:

Establishing the Frances Haddon Morgan Children's Center as a state residential school.

To Committee on Human Services

MOTION

On motion of Mr. Nelson (G), the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORT OF STANDING COMMITTEE

January 13, 1982

SUBSTITUTE HOUSE BILL NO. 658, Prime Sponsor: Committee on Energy and Utilities, providing energy conservation procedures for state buildings. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Hine, Isaacson, McCormick, Schmidt, Scott, Sherman, Sprague, Tupper, Vander Stoep, Wang.

Not attending: Representatives Bond, Eberle.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, January 15, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 15, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fancher, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Anna Martinez and Liesl Gauger. Prayer was offered by The Reverend Richard Hart of the First Baptist Church of Olympia.

Reverend Hunter spoke in tribute to Martin Luther King, Jr.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 894, by Representatives Rosbach, Monohon, Williams, Nisbet, Mitchell and Johnson:

AN ACT Relating to razor clams; making an appropriation; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 895, by Representatives Hankins, Martinis, James, McCormick, Patrick, Prince, Chamberlain, Isaacson, Johnson, Garrett, Garson and Hastings:

AN ACT Relating to state government; adding new sections to chapter 43.19 RCW; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 896, by Representatives Tilly, Stratton, Nickell and North:

AN ACT Relating to snowmobiles; amending section 2, chapter 29, Laws of 1971 ex. sess. as amended by section 3, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.020; amending section 4, chapter 29, Laws of 1971 ex. sess. as last amended by section 5, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.040; amending section 4, chapter 181, Laws of 1975 1st ex. sess. as amended by section 6, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.043; amending section 5, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.050; amending section 7, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.075; amending section 8, chapter 29, Laws of 1971 ex. sess. as last amended by section 8, chapter 182, Laws of 1979 ex. sess. and RCW 46.10.080; amending section 2, chapter 148, Laws of 1980 and RCW 46.10.190; and prescribing penalties.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 897, by Representatives Armstrong and Ellis:

AN ACT Relating to arbitration; amending section 2, chapter 138, Laws of 1943 and RCW 7.04.020; and amending section 15, chapter 138, Laws of 1943 and RCW 7.04.150.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 898, by Representatives Brown, Ellis, Salatino, Patrick, Schmidt, Wang, Tilly, Pruitt, Winsley, Heck, Stratton, Sommers, Grimm, Kaiser, Walk, Burns, Leonard, Addison, Houchen, Johnson, Armstrong, Ehlers, Sherman, Galloway, McCormick, Garson, Vander Stoep, Granlund, Hastings, Sanders, Owen, Greengo and Barr:

AN ACT Relating to firearms and dangerous weapons; adding a new section to chapter 9.41 RCW; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 899, by Committee on Financial Institutions and Insurance and Representatives Dawson and Bickham:

AN ACT Relating to insurers; and adding new sections to chapter 48.05 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 900, by Committee on Agriculture and Representatives Dawson, Hankins, Bickham, Smith, Winsley, Johnson and Garson (by Department of Agriculture request):

AN ACT Relating to bakery products; amending section 10, chapter 194, Laws of 1927 as last amended by section 1, chapter 61, Laws of 1955 and RCW 19.92.100; amending section 3, chapter 61, Laws of 1955 and RCW 19.92.110; and adding a new section to chapter 19.92 RCW.

To Committee on Agriculture

HOUSE BILL NO. 901, by Committee on Agriculture and Representative Smith (by Department of Agriculture request):

AN ACT Relating to weight tickets; and amending section 25, chapter 100, Laws of 1969 ex. sess. and RCW 15.80.540.

To Committee on Agriculture

HOUSE BILL NO. 902, by Committee on Financial Institutions and Insurance and Representatives Dawson and Bickham:

AN ACT Relating to insurance; amending section .03.01, chapter 79, Laws of 1947 as amended by section 1, chapter 139, Laws of 1979 and RCW 48.03.010; amending section .04.02, chapter 79, Laws of 1947 as amended by section 3, chapter 190, Laws of 1949 and RCW 48.04.020; amending section 7, chapter 195, Laws of 1963 as last amended by section 1, chapter 135, Laws of 1980 and RCW 48.05.340; amending section 1, chapter 6, Laws of 1981 and RCW 48.14.025; amending section .15.07, chapter 79, Laws of 1947 as last amended by section 1, chapter 199, Laws of 1981 and RCW 48.15.070; amending section .17.09, chapter 79, Laws of 1947 as last amended by section 10, chapter 339, Laws of 1981 and RCW 48.17.090; amending section .17.51, chapter 79, Laws of 1947 as last amended by section 15, chapter 303, Laws of 1955 and RCW 48.17.510; amending section .17.54, chapter 79, Laws of 1947 as last amended by section 2, chapter 107, Laws of 1973 1st ex. sess. and RCW 48.17.540; amending section .18.10, chapter 79, Laws of 1947 and RCW 48.18.100; amending section .18.11, chapter 79, Laws of 1947 and RCW 48.18.110; amending section 4, chapter 104, Laws of 1969 and RCW 48.18A.040; amending section 19, chapter 229, Laws of 1951 and RCW 48.20.182; amending section .23.18, chapter 79, Laws of 1947 and RCW 48.23.180; amending section 22, chapter 70, Laws of 1965 ex. sess. and RCW 48.23.370; amending section 8, chapter 194, Laws of 1961 and RCW 48.24.035; adding a new section to chapter 48.18A RCW; and repealing section 1, chapter 143, Laws of 1969 and RCW 48.44.025.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 903, by Select Committee on Deregulation and Productivity and Representatives Schmidt and Williams:

AN ACT Relating to superior court judges; amending section 2, page 329, Laws of 1890 as last amended by section 1, chapter 189, Laws of 1939 and RCW 2.08.100; amending section 3, page 329, Laws of 1890 and RCW 2.08.110; and amending section 9, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.090.

To Committee on Appropriations - General Government

HOUSE BILL NO. 904, by Representatives Lewis, Kreidler, Patrick, Van Dyken, Mitchell and Stratton:

AN ACT Relating to gambling; adding a new section to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; and providing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 905, by Representatives Wang, Ellis, Armstrong, Owen, Patrick, Tupper, Becker, King (J), Winsley, Brown, Berleen, Granlund, Mitchell, Vander Stoep, Salatino, Lewis, Hankins, Johnson, Sherman and Teutsch:

AN ACT Relating to child custody; amending section 9A.40.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.40.050; amending section 19, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09-.190; amending section 20, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.200; amending section 26, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.260; amending section 28, chapter 157, Laws of 1973 1st ex. sess. as amended by section 4, chapter 32, Laws of 1975 and RCW 26.09-.280; amending section 9, chapter 50, Laws of 1949 and RCW 26.12.090; amending section 10, chapter 50, Laws of 1949 and RCW 26.12.100; amending section 12, chapter 50, Laws of 1949 and RCW 26.12.120; amending section 18, chapter 50, Laws of 1949 and RCW 26.12.180; amending section 19, chapter 50, Laws of 1949 and RCW 26.12.190; amending section 20, chapter 50, Laws of 1949 and RCW 26.12.200; adding new sections to chapter 26.09 RCW; and creating a new section.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 906, by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Chandler, Wilson, Monohon, Nisbet, Vander Stoep, Struthers, Nelson (G), Hankins, Galloway, King (J), Winsley, Heck, Ellis, Wang and Armstrong (by Governor Spellman request):

AN ACT Relating to economic development; adding a new chapter to Title 43 RCW; and providing an expiration date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 907, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to the office of administrative hearings; amending section 2, chapter 67, Laws of 1981 and RCW 34.12.020; amending section 6, chapter 67, Laws of 1981 and RCW 34.12.060; amending section 5, chapter 141, Laws of 1967 as last amended by section 239, chapter 141, Laws of 1979 and RCW 72.33.670; amending section 25, chapter 183, Laws of 1973 1st ex. sess. as amended by section 12, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.055; adding new sections to chapter 34.12 RCW; making an appropriation; and providing an effective date.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 908, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Thompson:

AN ACT Relating to the sale of state lands; and amending section 54, chapter 255, Laws of 1927 as last amended by section 1, chapter 267, Laws of 1969 ex. sess. and RCW 79.01.216.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 909, by Committee on Agriculture and Representatives Tilly, Lewis, Clayton, Barr, Dickie, Bickham, Nickell, Flanagan and Struthers:

AN ACT Relating to apple advertising assessments; amending section 15.24.100, chapter 11, Laws of 1961 as last amended by section 28, chapter 240, Laws of 1967 and RCW 15.24.100; amending section 15.24.110, chapter 11, Laws of 1961 as amended by section 29, chapter 240, Laws of 1967 and RCW 15.24.110; and adding new sections to chapter 15.24 RCW.

To Committee on Agriculture

HOUSE BILL NO. 910, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Thompson:

AN ACT Relating to public lands; and amending section 10, chapter 109, Laws of 1979 ex. sess. and RCW 79.01.242.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 911, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Thompson:

AN ACT Relating to trust lands management; creating a new section; adding a new chapter to Title 79 RCW; and making an appropriation.

To Committee on Natural Resources and Environmental Affairs

HOUSE JOINT RESOLUTION NO. 19, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach and Thompson:

Proposing a constitutional amendment eliminating certain restrictions on sales of granted land.

To Committee on Natural Resources and Environmental Affairs

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORT OF STANDING COMMITTEE

January 14, 1982

HOUSE BILL NO. 884, by Committee on Ethics, Law and Justice, correcting double amendments to various statutes. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Wang, Winsley.

Not attending: Representatives Schmidt, Tilly, Tupper.

Passed to Committee on Rules for second reading.

THIRD READING

ENGROSSED HOUSE BILL NO. 223, by Committee on Natural Resources and Environmental Affairs and Representative Rosbach:

Modifying provisions on forest protection.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 223, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Addison, Bickham, Clayton, Eberle, Eng, Fancher, Lux, Tupper, Winsley.

Engrossed House Bill No. 223, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 361, by Committee on Higher Education and Representatives Teutsch and Ellis:

Providing for removal of members of community college board of trustees by the governor.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 361, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bickham, Eberle, Eng, Fancher, Winsley.

House Bill No. 361, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 386, by Representatives Nickell, Rinehart, Tilly, Rust, Barrett, Fancher and Wang;

Modifying the administration of winter recreation activities.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 386, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins,

Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Houchen, James.

Not voting: Representatives Bickham, Fancher, Winsley.

Engrossed House Bill No. 386, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 381, by Representatives Tilly and Padden:

Modifying procedures applicable to conditionally released persons.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 381, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bickham, Fancher, Winsley.

Engrossed House Bill No. 381, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-100, by Representatives Wilson and Nisbet:

WHEREAS, The marine lands and shorelands of the state of Washington are among the most valuable of its natural resources and should be administered in the public interest to maximize the beneficial use thereof for navigation, commerce, and recreational purposes, while at the same time preserving these lands for enjoyment by future generations; and

WHEREAS, The aquatic land laws governing the beds, tidelands, and shorelands of the navigable waters of the state have been amended in a piece-meal fashion over the past eighty years, resulting in a statutory framework for management of this public trust which is ill-defined, lacking a consistent management philosophy, and overly complicated and unclear in its intent and execution, and recognizing that studies previously authorized to rewrite these laws have not resulted in a comprehensive revision of these laws;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House Natural Resources and Environmental Affairs Committee's subcommittee on aquatic lands be authorized to convene an Aquatic Lands Task Force composed of the subcommittee's members, and representatives from the Department of Natural Resources and private entities interested in the administration of aquatic lands. The subcommittee and its task force shall review the laws governing the management of state-owned marine lands, shorelands, and harbor areas and the manner in which the Department of Natural Resources has interpreted and administered these laws in fulfillment of their trust management responsibilities, with the purpose of proposing legislation which will: (1) Clearly define aquatic lands; (2) articulate a management philosophy; (3) provide clear procedures for managing these lands; and (4) provide a comprehensive recodification and revision of laws related to aquatic lands.

Mr. Wilson moved adoption of the resolution and spoke in favor of it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Wilson, I agree this is a very timely resolution. Your comments, however, suggested that the rental program that the department has instituted will be set aside until this is accomplished, but I don't see that addressed in the resolution."

Mr. Wilson: "The intent of the resolution is to set up a task force of senators, representatives and members from the department and interested public industry to study the patchwork of laws that exist right now governing aquatic lands to arrive at a more consistent policy in the handling of the lands. It is hoped that the department will set an abeyance of some of their increases until this is done."

Mr. Nelson (D) spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 82-101, by Representative Nelson (G):

WHEREAS, A Select Committee on Child Abuse was created by the House of Representatives by House Floor Resolution No. 81-53 which is hereby incorporated by reference; and

WHEREAS, Said Select Committee was charged with studying the social problems created by child abuse; and

WHEREAS, Said Select Committee was directed to report its findings to the House of Representatives no later than January 15, 1982; and

WHEREAS, Additional time is needed to adequately prepare the report of the Select Committee;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Select Committee on Child Abuse report to the House of Representatives no later than March 11, 1982 on the findings of its study and proposed remedial action.

On motion of Mr. Nelson (G), the resolution was adopted.

HOUSE RESOLUTION NO. 82-102, by Representatives Hankins and Isaacson:

WHEREAS, This state recognizes the important role of high school athletics in preparing our young people for the challenges of citizenship; and

WHEREAS, The city of Richland has repeatedly provided this state with championship high school athletic teams who have exemplified a dedication to excellence; and

WHEREAS, The Columbia High School football team has most recently continued its school's tradition of athletic excellence by capturing the state AAA championship; and

WHEREAS, The long hours of preparation and intense efforts of all members of the Columbia High School Bombers and their coaching staff are worthy of our respect and recognition;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the members of the Columbia High School Bombers football team and their coaching staff be commended for their demonstrated skill, sportsmanship, and dedication; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Mr. J. D. Covington, head coach of the Columbia High School Bombers.

On motion of Ms. Hankins, the resolution was adopted.

HOUSE RESOLUTION NO. 82-103, by Representatives Maxie, O'Brien, Wang, Galloway, Valle, Burns, Patrick, Gallagher, Tilly, Struthers, Heck, Garrett, Pruitt and McDonald:

WHEREAS, January 15, 1982, is the fifty-third anniversary of the birth of the Reverend Dr. Martin Luther King, Jr., whose daily life as a Christian demonstrated his love of God and mankind; and

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

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

WHEREAS, While jailed for civil disobedience, Dr. King wrote, "There are just laws and there are unjust laws. Any law that degrades the human personality is unjust"; and

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

WHEREAS, The selfless and pioneering leadership of Dr. King reminds us that all citizens must strive to create a world where racial intolerance, poverty, and hunger have ceased to exist;

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

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

Representatives Maxie, Pruitt and Patrick spoke in favor of the resolution and it was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 787, by Select Committee on Redistricting (originally sponsored by Representatives Eberle, Sanders and Prince):

Providing for congressional redistricting and reapportionment and establishing a redistricting commission.

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

Mr. Prince spoke in favor of passage of the bill, and Mr. Bender spoke against it.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 787, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreydler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Sprague, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Wilson.

Not voting: Representative Fancher.

Substitute House Bill No. 787, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Martinis, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 787 failed to pass the House.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 786, by Representatives Eberle, Prince and Sanders:

Providing for congressional redistricting and reapportionment.

The bill was read the second time. On motion of Mr. Eberle, Substitute House Bill No. 786 was substituted for House Bill No. 786, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 786 was read the second time.

Mr. Bender moved adoption of the following amendment by Representatives Bender, Ehlers, Grimm, Heck, King (R), Martinis, King (J), Wang, Becker, Valle, Kaiser, Gallagher, Rinehart, Thompson, Cole, Maxie, North, O'Brien, Hine, Rust, Sherman, Walk, Galloway, Kreidler, Pruitt, Scott, Armstrong, Brekke, Granlund, Eng, Lux, Burns, Nelson (D) and McCormick:

Beginning on page 1, line 5 after "Section 1." strike all material down to and including "affected." on page 26, line 23 and insert the following:

"Article II, section 3 and Article XXVII, section 13 of the Washington state Constitution require that the legislature apportion and district anew the members of the senate and house of representatives, and divide the state into congressional districts, according to the number of inhabitants.

The legislature declares its intent that any redistricting law enacted by the legislature in 1981 be repealed.

Sec. 2. The definitions set forth in this section apply throughout this chapter, unless the context requires otherwise.

(1) 'Chief election officer' means the secretary of state.

(2) 'Federal census' means the decennial census required by federal law to be prepared by the United States bureau of the census in 1990 and each year ending in zero thereafter.

(3) 'Lobbyist' means an individual required to register with the Washington public disclosure commission pursuant to RCW 42.17.150.

(4) 'Plan' means a plan for legislative redistricting mandated by Article II, section 3 of the state Constitution.

(5) 'Political party office' means any elected or appointed office in any major or minor political party recognized by the laws of this state, including but not limited to the office of party precinct committeeperson.

(6) 'Public office' means any elected or appointed office or employment in the executive, judicial, or legislative branch or in any agency, commission, or organization of the federal, state, or local government.

Sec. 3. A redistricting commission shall be established on or before March 15, 1982, to provide for the apportionment and redistricting of this state. The five-member commission shall be appointed as follows:

(1) Each leader of the two largest political parties in each house of the legislature shall appoint one member.

(2) The four appointed members, by an affirmative vote of at least three, shall appoint the fifth member who shall be a nonvoting member and serve as chairman.

(3) If, by March 25, 1982, three of the four appointed members fail to select a fifth member pursuant to subsection (2) of this section, the supreme court shall appoint the fifth member by April 15, 1982.

(4) A vacancy on the commission shall be filled by the person who made the initial appointment, or the successor of the person making the original appointment, within fifteen days after the vacancy occurs.

Sec. 4. No person may be appointed to the commission who:

(1) Is not a registered voter of the state at the time of selection;

(2) Holds or has held public office or political party office within one year prior to selection;

(3) Is a relative of or is employed by a member of the state house of representatives or the state senate;

or
(4) Is or has within one year prior to selection been a registered lobbyist.

Sec. 5. No member of the commission may:

(1) Hold or campaign for public or political party office while a member of the commission; or

(2) Actively participate in or contribute to any political campaign of any candidate for state or federal elective office while a member of the commission.

Sec. 6. (1) The commission shall select a competent person or persons to prepare a plan dividing the state into legislative and congressional districts.

(2) The commission may employ the services of experts, consultants, and support staff, including attorneys not employed by the attorney general, as necessary to carry out its duties pursuant to this chapter. The chief election officer, the treasurer, and the attorney general shall make available to the commission such personnel, facilities, and other assistance as the commission may reasonably request.

(3) The commission, upon written request by a witness and subject to rules promulgated by the commission, may reimburse witnesses for their necessary expenses incurred in appearing before the commission.

(4) The legislature shall appropriate funds to enable the commission to carry out its duties. Members shall receive one hundred dollars of compensation for each day spent in the performance of their duties and reimbursement for actual and necessary expenses. Compensation and reimbursement of employees for actual and necessary expenses shall be determined by the commission.

Sec. 7. In addition to other duties prescribed by law, the commission shall:

(1) Adopt rules pursuant to the Administrative Procedure Act, chapter 34.04 RCW, to carry out the provisions of Article II, section 3 of the state Constitution and of this chapter, which rules shall provide that three voting members of the commission constitute a quorum to do business, and that the votes of a majority of the members present are required for any official action of the commission;

(2) The commission shall act as the legislature's recipient of redistricting data and maps from the United States Bureau of the Census. Upon receipt of the data and maps, the commission shall promptly provide copies to the secretary of the senate and chief clerk of the house of representatives.

(3) Preserve all information filed with and developed by the commission pursuant to public records statutes, chapter 42.17 RCW;

(4) Hold open meetings pursuant to the Open Public Meetings Act, chapter 42.30 RCW;

(5) Prepare and maintain minutes pursuant to RCW 42.32.030;

(6) Prepare and publish a report with the plan; the report will be made available to the public at the time the plan is published. The report shall include but shall not be limited to: (a) The population and percentage deviation from the average district population for every district; (b) an explanation of the criteria used in developing the plan with a justification of any deviation in a district from the average district population; (c) a map of all the districts; and (d) the cost incurred by the counties for adjusting precinct boundaries.

Sec. 8. In the commission's plan:

(1) Districts shall have a population as nearly equal as is practicable, excluding nonresident military personnel and their dependents, based on the population reported in the federal decennial census.

(2) To the extent consistent with other criteria of this section, district lines shall be drawn so as to coincide with the boundaries of local political subdivisions. The number of counties and municipalities divided among more than one district shall be as small as possible.

(3) Districts shall be composed of convenient, contiguous, and compact territory. Land areas are deemed contiguous if they share a common land border or are connected by a highway, bridge, or tunnel. Areas separated by unbridged water are deemed contiguous to the nearest land area only where necessary to comply with the other criteria enumerated in the Constitution and this section. Areas which only share common borders at the points of adjoining corners may not be deemed contiguous. Areas separated by geographical boundaries or artificial barriers that prevent transportation within a district may not be deemed contiguous.

(4) No district may be drawn for the purpose of favoring any political party, incumbent legislator, or other person or group.

(5) No district may be drawn for the purpose of diluting the voting strength of any language or racial minority group.

(6) The commission shall provide, whenever practicable, that a precinct shall be wholly within a single legislative district.

Sec. 9. (1) The commission shall adopt the redistricting plan with the approval of three of the four voting members of the commission, and shall adopt the plan not later than May 5, 1982.

(2) If three of the four voting members fail to approve a plan within the time limitation provided in subsection (1) of this section, the supreme court shall adopt a plan by May 31, 1982.

(3) The plan shall take effect upon approval by the commission, or the supreme court if the commission fails, and shall constitute the districts for the legislative and congressional elections held in the year ending in two and, thereafter, for each legislative and congressional election held until a new plan is adopted according to this chapter. Any revision by the legislature of the redistricting plan shall be approved by two-thirds of the members elected to each house thereof.

Sec. 10. (1) Following the period provided by section 9(2) of this act for the commission's adoption of a plan, the commission shall take all necessary steps to conclude its business and cease operations. The commission shall prepare a financial statement disclosing all expenditures made by the commission. The official record shall contain all relevant information developed by the commission pursuant to carrying out its duties under this chapter, data collected, minutes of meetings, written communications, and other information of a similar nature. The commission shall provide for the permanent preservation of this official record. Once the commission ceases to exist, any budget surplus shall revert to the state general fund.

(2) The commission shall cease to exist forty-five days after the date established by section 9(2) of this act for submission of a plan unless the supreme court extends the commission's term.

Sec. 11. After the plan is approved as provided in section 9 of this act, any registered voter may file a petition with the supreme court challenging the plan. The court may consolidate any or all petitions and shall give all such petitions precedence over all other matters.

Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 44 RCW.

Sec. 14. The following acts or parts of acts are each repealed:

(1) Chapter 288, Laws of 1981 and chapter 44.07A RCW are each hereby repealed; and

(2) Any other act of the forty-seventh legislature establishing or modifying legislative or congressional district boundaries."

Renumber the remaining section consecutively.

Representatives Bender, Ehlers, Martinis and Grimm spoke in favor of the amendment, and Representatives Eberle and Nisbet spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bender and others to Substitute House Bill No. 786, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Not voting: Representative Fancher.

EXPLANATION OF VOTE

I was off the floor during the vote on the amendment to Substitute House Bill No. 786 sponsored by Representative Bender and others. Someone voted my position in my absence. They voted me "Nay" and I wanted to vote "Yea."

KAREN SCHMIDT, 23rd District.

Mr. Barrett moved adoption of the following amendments:

On page 8, after line 3 insert "All of Benton County"

On page 8, line 6 strike "Ferry" and insert "Franklin"

On page 8, line 10 strike "All of Lincoln County"

On page 8, line 12 strike "All of Pend Oreille County"

On page 8, line 14 strike "All of Stevens County"

On page 8, beginning on line 16 strike all the material down to and including "district" on line 18

On page 8, line 23 strike "All of Benton County"

On page 8, line 25 strike "Franklin" and insert "Ferry"

On page 8, after line 26 insert the following:

"All of Lincoln County

All of Pend Oreille County

All of Spokane County

All of Stevens County"

On page 8, beginning on line 29 strike all the material down to and including "Spokane)" on line 32

On page 9, beginning on line 1 strike all the material down to and including "T 143" on line 35

Representatives Barrett, Hastings and Barr spoke in favor of the amendments and they were adopted.

The bill was ordered engrossed.

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 786 be placed on final passage.

Mr. Heck spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute House Bill No. 786 to third reading and final passage, and the motion failed to receive the required two-thirds majority, by the following vote: Yeas, 47; nays, 49; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt,

Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Fancher, Maxie.

Engrossed Substitute House Bill No. 786 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 12:00 noon, Monday, January 18, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

EIGHTH DAY

NOON SESSION

House Chamber, Olympia, Wash., Monday, January 18, 1982.

The House was called to order at 12:00 noon by the Speaker.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 913, by Representatives Williams, Hine, Chandler and Johnson (by Governor Spellman request):

AN ACT Relating to the reorganization of various agencies of state government; amending section 3, chapter 74, Laws of 1967 and RCW 43.63A.030; amending section 2, chapter 74, Laws of 1967 and RCW 43.63A.020; amending section 4, chapter 74, Laws of 1967 as amended by section 10, chapter 40, Laws of 1975 and RCW 43.63A.040; amending section 6, chapter 74, Laws of 1967 and RCW 43.63A.060; amending section 10, chapter 74, Laws of 1967 and RCW 43.63A.100; amending section 41, chapter 304, Laws of 1981 and RCW 43.63A.175; amending section 2, chapter 269, Laws of 1981 and RCW 43.63A.190; amending section 2, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.020; amending section 3, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.030; amending section 3, chapter 134, Laws of 1975 1st ex. sess. as amended by section 13, chapter 195, Laws of 1977 ex. sess. and RCW 27.53.030; amending section 4, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.060; amending section 5, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.070; amending section 6, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.080; amending section 9, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.110; amending section 11, chapter 5, Laws of 1965 as last amended by section 1, chapter 206, Laws of 1981 and by section 7, chapter 338, Laws of 1981 and RCW 43.99.110; amending section 4, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.122; amending section 5, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.124; amending section 6, chapter 62, Laws of 1967 ex. sess. and RCW 43.99.126; amending section 13, chapter 5, Laws of 1965 as last amended by section 2, chapter 206, Laws of 1981 and RCW 43.99.130; amending section 1, chapter 24, Laws of 1979 ex. sess. and RCW 43.99.142; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.060; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 3, chapter 123, Laws of 1980 and RCW 28A.91.110; amending section 73, chapter 151, Laws of 1979 as last amended by section 15, chapter 67, Laws of 1981 and by section 20, chapter 311, Laws of 1981 and RCW 42.17.240; amending section 20, chapter 87, Laws of 1980 and RCW 43.03.028; amending section 2, chapter 117, Laws of 1972 ex. sess. as amended by section 111, chapter 34, Laws of 1975-76 2nd ex. sess. and RCW 43.31A.020; amending section 7, chapter 48, Laws of 1975 1st ex. sess. and RCW 43.97.080; amending section 2, chapter 19, Laws of 1977 ex. sess. as amended by section 149, chapter 151, Laws of 1979 and RCW 43.132.020; amending section 8, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.070; amending section 4, chapter 189, Laws of 1981 and RCW 79.70.070; amending section 2, chapter 161, Laws of 1977 ex. sess. and RCW 79.72.020; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; adding new sections to chapter 43.63A RCW; creating a new section; repealing section 43.31.200, chapter 8, Laws of 1965, section 42, chapter 171, Laws of 1974 ex. sess. and RCW 43.31.200; repealing section 43.31.210, chapter 8, Laws of 1965 and RCW 43.31.210; repealing section 43.31.220, chapter 8, Laws of 1965 and RCW 43.31.220; repealing section 43.31.230, chapter 8, Laws of 1965 and RCW 43.31.230; repealing section 7, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.090; repealing section 8, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.100; repealing section 1, chapter 74, Laws of 1967 and RCW 43.63A.010; repealing section 7, chapter 74, Laws of 1967, section 28, chapter 151, Laws of 1977 ex. sess., section 132, chapter 151, Laws of 1979 and RCW 43.63A.070; repealing section 8, chapter 74, Laws of 1967, section 63, chapter 75, Laws of 1977 and RCW 43.63A.080; repealing section 11, chapter 74, Laws of 1967 and RCW 43.63A.110; repealing section 21, chapter 99, Laws of 1979 and RCW 43.131.189; repealing section 63, chapter 99, Laws of 1979 and RCW 43.131.190; repealing section 28, chapter 99, Laws of 1979 and RCW 43.131.203; repealing section 70, chapter 99, Laws of 1979 and RCW 43.131.204; repealing section 35, chapter 99, Laws of 1979 and RCW 43.131.217; repealing section 77, chapter 99, Laws of 1979 and RCW 43.131.218; repealing section 28, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.270; decodifying RCW 43.41.900, 43.41.910, 43.41.920, 43.41.930, 43.41.960, 43.51A.040, 43.51A.050, 43.63A.090, 43.63A.170, and 43.63A.180; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 914, by Representatives Lundquist, Van Dyken, James and Fiske:

AN ACT Relating to reviewing permits on shorelines of the state; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150; and amending section 18, chapter 286, Laws of 1971 ex. sess. as last amended by section 2, chapter 51, Laws of 1975-'76 2nd ex. sess. and RCW 90.58.180.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 915, by Committee on Transportation and Representatives Ellis, Wilson and Johnson:

AN ACT Relating to emission control inspections for used cars; amending section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980 and RCW 46.16.015; repealing section 9, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.090; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 916, by Committee on Ethics, Law and Justice and Representatives Ellis and Wang:

AN ACT Relating to interest on judgments; and amending section 4, chapter 136, Laws of 1895 as last amended by section 5, chapter 94, Laws of 1980 and RCW 4.56.110.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 917, by Representatives Ehlers, Mitchell, Grimm, Brown, Walk and Sherman:

AN ACT Relating to mobile home landlords and tenants; amending section 8, chapter 279, Laws of 1977 ex. sess. as last amended by section 21, chapter 304, Laws of 1981 and RCW 59.20.080; amending section 9, chapter 279, Laws of 1977 ex. sess. as last amended by section 2, chapter 152, Laws of 1980 and RCW 59.20.090; amending section 11, chapter 279, Laws of 1977 ex. sess. and RCW 59.20.110; adding a new section to chapter 59.20 RCW; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 918, by Representative Barr:

AN ACT Relating to superior court judges; amending section 3, chapter 65, Laws of 1981 (uncodified); and declaring an emergency.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 919, by Representatives Heck, Taylor, Valle, King (J), Grimm, Galloway, Hine and Johnson:

AN ACT Relating to high school graduation requirements; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE BILL NO. 920, by Representatives Hankins, Walk and Addison (by Governor Spellman request):

AN ACT Relating to occupational information; adding a new chapter to Title 50 RCW; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 921, by Representatives Fancher, Nisbet, Barnes, Tilly, Struthers and Hastings:

AN ACT Relating to property tax relief; amending section 2, chapter 182, Laws of 1974 ex. sess. as last amended by section 5, chapter 185, Laws of 1980 and RCW 84.36.383; and creating a new section.

To Committee on Revenue

HOUSE BILL NO. 922, by Representatives Amen, Williams, Sommers, Greengo, Nelson (G), Struthers, Houchen, Thompson and Becker (by Legislative Budget Committee request):

AN ACT Relating to the board of prison terms and paroles; adding new sections to chapter 9.95 RCW; creating new sections; providing an expiration date; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 923, by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson (D), Nickell, Kaiser, Hankins, Nelson (G), Greengo, Nisbet, Barr, Teutsch, Ellis, Sanders, Houchen, Hastings, Chandler, Bickham, McDonald, Mitchell, Tilly, Amen, Barnes, Barrett, Stratton, Hine and O'Brien (by Governor Spellman request):

AN ACT Relating to voluntary action; adding a new chapter to Title 43 RCW; providing an expiration date; and making an appropriation.

To Committee on State Government

HOUSE BILL NO. 924, by Committee on Financial Institutions and Insurance and Representatives Dawson and Lux (by Department of General Administration request):

AN ACT Relating to financial institutions; amending section 30.04.060, chapter 33, Laws of 1955 and RCW 30.04.060; amending section 30.04.070, chapter 33, Laws of 1955 and RCW 30.04.070; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 2, chapter 89, Laws of 1981 and RCW 30.04.230; amending section 30.49.040, chapter 33, Laws of 1955 and RCW 30.49.040; amending section 2, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.005; amending section 3, chapter 80, Laws of 1975 1st ex. sess. as amended by section 11, chapter 41, Laws of 1980 and RCW 31.12A.010; amending section 5, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.030; amending section 6, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.040; amending section 7, chapter 80, Laws of 1975 1st ex. sess. as amended by section 12, chapter 41, Laws of 1980 and RCW 31.12A.050; amending section 8, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.060; amending section 11, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.090; adding new sections to chapter 30.04 RCW; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 925, by Representatives Valle, Greengo, Rinehart, Sanders, Thompson and Chandler:

AN ACT Relating to public contracts; and adding a new chapter to Title 39 RCW.

To Committee on Local Government

HOUSE BILL NO. 926, by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen:

AN ACT Relating to the human rights commission; amending section 15, chapter 270, Laws of 1955 as amended by section 16, chapter 37, Laws of 1957 and RCW 49.60.230; amending section 16, chapter 270, Laws of 1955 as last amended by section 1, chapter 259, Laws of 1981 and RCW 49.60.240; amending section 17, chapter 270, Laws of 1955 as last amended by section 2, chapter 259, Laws of 1981 and RCW 49.60.250; prescribing penalties; and providing an effective date.

To Committee on State Government

HOUSE BILL NO. 927, by Representatives Bond, Ellis, Hastings, Stratton, McCormick, Leonard, Padden, Tilly, Chandler, Owen, Patrick, McDonald and Johnson:

AN ACT Relating to obscenity; adding new sections to chapter 9.68 RCW; creating a new section; repealing section 118, page 96, Laws of 1854, section 124, page 226, Laws of 1869, section 130, page 210, Laws of 1873, section 850, Code 1881, section 1, page 122, Laws of 1886, section 24, chapter 69, Laws of 1891, section 207, chapter 249, Laws of 1909, section 1, chapter 260, Laws of 1959, section 1, chapter 146, Laws of 1961, section 1, chapter 92, Laws of 1969 and RCW 9.68.010; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 928, by Representatives Mitchell, Becker, Padden, Wang, Teutsch, Scott, Fiske and Kreidler:

AN ACT Relating to insect stings; amending section 19, chapter 192, Laws of 1909 as last amended by section 5, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.030; adding a new chapter to Title 70 RCW; and creating a new section.

To Committee on Human Services

HOUSE BILL NO. 929, by Committee on Financial Institutions and Insurance and Representative Dawson:

AN ACT Relating to international banking and commerce; amending section 7, chapter 53, Laws of 1973 1st ex. sess. as amended by section 6, chapter 106, Laws of 1979 and RCW 30.42.070; amending section 12, chapter 53, Laws of 1973 1st ex. sess. as amended by section 2, chapter 285, Laws of 1975 1st ex. sess. and RCW 30.42.120; amending section 14, chapter 53, Laws of 1973 1st ex. sess. and RCW 30.42.140; creating new sections; adding new sections to chapter 30.42 RCW; adding a new section to chapter 82.04 RCW; repealing section 11, chapter 53, Laws of 1973 1st ex. sess., section 1, chapter

285, Laws of 1975 1st ex. sess. and RCW 30.42.110; declaring an emergency; and providing an effective date.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 930, by Committee on Financial Institutions and Insurance and Representative Dawson:

AN ACT Relating to health maintenance organizations; amending section 3, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.020; amending section 13, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.120; and adding new sections to chapter 48.46 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 931, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to public works; amending section 14, chapter 260, Laws of 1981 and RCW 60.28.010; and adding a new section to chapter 60.28 RCW.

To Select Committee on Deregulation and Productivity

HOUSE BILL No. 932, by Committee on Agriculture and Representatives Hastings and Smith:

AN ACT Relating to real property; and amending section 5, chapter 11, Laws of 1893 as last amended by section 7, chapter 80, Laws of 1977 ex. sess. and RCW 7.28.090.

To Committee on Agriculture

HOUSE BILL NO. 933, by Committee on Appropriations – General Government and Representatives Williams, Ehlers, Nelson (G), Thompson, Greengo and Sommers (by Legislative Budget Committee request):

AN ACT Relating to state government; amending section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 2, chapter 103, Laws of 1980 and RCW 43.19.1906; and amending section 43.19.1935, chapter 8, Laws of 1965 as last amended by section 6, chapter 270, Laws of 1977 ex. sess. and RCW 43.19.1935.

To Committee on Appropriations – General Government

HOUSE BILL NO. 934, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

AN ACT Relating to credit unions; amending section 2, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.005; amending section 3, chapter 80, Laws of 1975 1st ex. sess. as amended by section 11, chapter 41, Laws of 1980 and RCW 31.12A.010; amending section 5, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.030; amending section 6, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.040; amending section 7, chapter 80, Laws of 1975 1st ex. sess. as amended by section 12, chapter 41, Laws of 1980 and RCW 31.12A.050; amending section 8, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.060; and amending section 11, chapter 80, Laws of 1975 1st ex. sess. and RCW 31.12A.090.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 935, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

AN ACT Relating to banks and trust companies; and amending section 30.04.070, chapter 33, Laws of 1955 and RCW 30.04.070.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 936, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

AN ACT Relating to banks and trust companies; amending section 30.04.060, chapter 33, Laws of 1955 and RCW 30.04.060; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 2, chapter 89, Laws of 1981 and RCW 30.04.230; amending section 30.49.040, chapter 33, Laws of 1955 and RCW 30.49.040; adding new sections to chapter 30.04 RCW; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 937, by Committee on Financial Institutions and Insurance and Representatives Dawson, Chandler, Williams, Sommers, Amen, Erak, Fiske, Clayton, Hankins, Isaacson, Thompson and Johnson:

AN ACT Relating to the office of insurance commissioner; and adding a new section to chapter 48.02 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 938, by Committee on Financial Institutions and Insurance and Representative Dawson:

AN ACT Relating to charitable gift annuity businesses; amending section 6, chapter 130, Laws of 1979 and RCW 48.38.010; amending section 7, chapter 130, Laws of 1979 and RCW 48.38.020; amending section 10, chapter 130, Laws of 1979 and RCW 48.38.050; creating new sections; and providing an effective date.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 939, by Representatives Fiske, Ellis, Armstrong, Padden, Wang and O'Brien (by Secretary of State request):

AN ACT Relating to state government; amending section 43.07.120, chapter 8, Laws of 1965 as amended by section 107, chapter 81, Laws of 1971 and RCW 43.07.120; amending section 1, chapter 122, Laws of 1971 ex. sess. as amended by section 1, chapter 85, Laws of 1973 1st ex. sess. and RCW 43.07.130; amending section 3, chapter 53, Laws of 1965 as amended by section 1, chapter 16, Laws of 1979 and RCW 23A.04.010; amending section 8, chapter 53, Laws of 1965 as amended by section 5, chapter 16, Laws of 1979 and RCW 23A.08.050; amending section 9, chapter 53, Laws of 1965 as last amended by section 6, chapter 16, Laws of 1979 and RCW 23A.08.060; amending section 12, chapter 53, Laws of 1965 and RCW 23A.08.090; amending section 13, chapter 53, Laws of 1965 as last amended by section 7, chapter 16, Laws of 1979 and RCW 23A.08.100; amending section 14, chapter 53, Laws of 1965 as amended by section 2, chapter 190, Laws of 1967 and RCW 23A.08.110; amending section 16, chapter 53, Laws of 1965 as last amended by section 2, chapter 193, Laws of 1977 ex. sess. and RCW 23A.08.130; amending section 37, chapter 53, Laws of 1965 as amended by section 4, chapter 99, Laws of 1980 and RCW 23A.08.340; amending section 51, chapter 53, Laws of 1965 as last amended by section 9, chapter 99, Laws of 1980 and RCW 23A.08.480; amending section 55, chapter 53, Laws of 1965 as amended by section 27, chapter 16, Laws of 1979 and RCW 23A.12.020; amending section 56, chapter 53, Laws of 1965 as amended by section 4, chapter 193, Laws of 1977 ex. sess. and RCW 23A.12.030; amending section 57, chapter 53, Laws of 1965 as amended by section 28, chapter 16, Laws of 1979 and RCW 23A.12.040; amending section 59, chapter 53, Laws of 1965 as last amended by section 29, chapter 16, Laws of 1979 and RCW 23A.12.060; amending section 61, chapter 53, Laws of 1965 as amended by section 30, chapter 16, Laws of 1979 and RCW 23A.16.020; amending section 63, chapter 53, Laws of 1965 as last amended by section 31, chapter 16, Laws of 1979 and RCW 23A.16.040; amending section 64, chapter 53, Laws of 1965 as last amended by section 6, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.050; amending section 33, chapter 16, Laws of 1979 and RCW 23A.16.075; amending section 67, chapter 53, Laws of 1965 as last amended by section 34, chapter 16, Laws of 1979 and RCW 23A.16.080; amending section 69, chapter 53, Laws of 1965 as amended by section 9, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.100; amending section 70, chapter 53, Laws of 1965 as amended by section 10, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.110; amending section 71, chapter 53, Laws of 1965 as amended by section 11, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.120; amending section 76, chapter 53, Laws of 1965 as last amended by section 37, chapter 16, Laws of 1979 and RCW 23A.20.040; amending section 77, chapter 53, Laws of 1965 as last amended by section 38, chapter 16, Laws of 1979 and RCW 23A.20.050; amending section 79, chapter 53, Laws of 1965 as amended by section 40, chapter 16, Laws of 1979 and RCW 23A.20.070; amending section 84, chapter 53, Laws of 1965 as last amended by section 45, chapter 16, Laws of 1979 and RCW 23A.28.010; amending section 85, chapter 53, Laws of 1965 as amended by section 15, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.020; amending section 86, chapter 53, Laws of 1965 as amended by section 16, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.030; amending section 87, chapter 53, Laws of 1965 as amended by section 17, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.040; amending section 89, chapter 53, Laws of 1965 and RCW 23A.28.060; amending section 90, chapter 53, Laws of 1965 as amended by section 18, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.070; amending section 91, chapter 53, Laws of 1965 as amended by section 19, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.080; amending section 92, chapter 53, Laws of 1965 as amended by section 20, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.090; amending section 94, chapter 53, Laws of 1965 as amended by section 21, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.110; amending section 95, chapter 53, Laws of 1965 as amended by section 22, chapter 193, Laws of 1977 ex. sess. and RCW 23A.28.120; amending section 10, chapter 99, Laws of 1980 and RCW 23A.28.125; amending section 96, chapter 53, Laws of 1965 as amended by section 1, chapter 92, Laws of 1969 ex. sess. and RCW 23A.28.130; amending section 108, chapter 53, Laws of 1965 as amended by section 11, chapter 99, Laws of 1980 and RCW 23A.28.250; amending section 111, chapter 53, Laws of 1965 as last amended by section 47, chapter 16, Laws of 1979 and RCW 23A.32.030; amending section 113, chapter 53, Laws of 1965 as last amended by section 49, chapter 16, Laws of 1979 and RCW 23A.32.050; amending section 114, chapter 53,

Laws of 1965 as last amended by section 50, chapter 16, Laws of 1979 and RCW 23A.32.060; amending section 51, chapter 16, Laws of 1979 as amended by section 1, chapter 230, Laws of 1981 and RCW 23A.32.073; amending section 52, chapter 16, Laws of 1979 as amended by section 2, chapter 230, Laws of 1981 and RCW 23A.32.075; amending section 116, chapter 53, Laws of 1965 as amended by section 3, chapter 22, Laws of 1971 and RCW 23A.32.080; amending section 117, chapter 53, Laws of 1965 as amended by section 54, chapter 16, Laws of 1979 and RCW 23A.32.090; amending section 118, chapter 53, Laws of 1965 and RCW 23A.32.100; amending section 122, chapter 53, Laws of 1965 as amended by section 55, chapter 16, Laws of 1979 and RCW 23A.32.140; amending section 123, chapter 53, Laws of 1965 and RCW 23A.32.150; amending section 124, chapter 53, Laws of 1965 as amended by section 12, chapter 99, Laws of 1980 and RCW 23A.32.160; amending section 125, chapter 53, Laws of 1965 and RCW 23A.32.170; amending section 132, chapter 53, Laws of 1965 as amended by section 2, chapter 133, Laws of 1971 ex. sess. and RCW 23A.36.050; amending section 134, chapter 53, Laws of 1965 and RCW 23A.40.010; amending section 135, chapter 53, Laws of 1965 as last amended by section 3, chapter 230, Laws of 1981 and RCW 23A.40.020; amending section 136, chapter 53, Laws of 1965 as last amended by section 1, chapter 133, Laws of 1979 ex. sess. and RCW 23A.40.030; amending section 14, chapter 99, Laws of 1980 and RCW 23A.40.035; amending section 137, chapter 53, Laws of 1965 as amended by section 23, chapter 193, Laws of 1977 ex. sess. and RCW 23A.40.040; amending section 138, chapter 53, Laws of 1965 and RCW 23A.40.050; amending section 139, chapter 53, Laws of 1965 as amended by section 2, chapter 92, Laws of 1969 ex. sess. and RCW 23A.40.060; amending section 140, chapter 53, Laws of 1965 as last amended by section 15, chapter 99, Laws of 1980 and RCW 23A.40.070; amending section 148, chapter 53, Laws of 1965 and RCW 23A.44.010; amending section 149, chapter 53, Laws of 1965 and RCW 23A.44.020; amending section 151, chapter 53, Laws of 1965 and RCW 23A.44.040; amending section 152, chapter 53, Laws of 1965 and RCW 23A.44.050; amending section 153, chapter 53, Laws of 1965 and RCW 23A.44.060; amending section 162, chapter 53, Laws of 1965 and RCW 23A.44.150; amending section 165, chapter 53, Laws of 1965 as amended by section 59, chapter 16, Laws of 1979 and RCW 23A.98.030; recodifying RCW 23A.08.480; adding new sections to chapter 23A.32 RCW; adding a new section to chapter 23A.44 RCW; adding new sections to chapter 43.07 RCW; creating new sections; repealing section 53, chapter 16, Laws of 1979 and RCW 23A.32.078; repealing section 1, chapter 2, Laws of 1971 ex. sess., section 58, chapter 16, Laws of 1979 and RCW 23A.40.150; and providing an effective date.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 940, by Representatives McGinnis, Scott and Dawson:

AN ACT Relating to insurance policy forms; and amending section .18.10, chapter 79, Laws of 1947 and RCW 48.18.100.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 941, by Representatives McGinnis and Williams (by Governor Spellman request):

AN ACT Relating to data processing; amending section 1, chapter 31, Laws of 1975-'76 2nd ex. sess. and RCW 27.26.020; amending section 2, chapter 46, Laws of 1975-'76 2nd ex. sess. and RCW 29.04.150; amending section 3, chapter 46, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 226, Laws of 1977 ex. sess. and RCW 29.04.160; amending section 2, chapter 239, Laws of 1975 1st ex. sess. as amended by section 62, chapter 151, Laws of 1979 and RCW 41.07.020; amending section 3, chapter 239, Laws of 1975 1st ex. sess. and RCW 41.07.030; amending and reenacting section 73, chapter 151, Laws of 1979 as last amended by section 20, chapter 311, Laws of 1981 and by section 15, chapter 67, Laws of 1981 and RCW 42.17.240; amending section 20, chapter 87, Laws of 1980 and RCW 43.03.028; amending section 3, chapter 32, Laws of 1969 as last amended by section 1, chapter 103, Laws of 1980 and RCW 43.19.190; amending section 1, chapter 104, Laws of 1967 ex. sess. and RCW 43.19.190; amending section 5, chapter 21, Laws of 1975-'76 2nd ex. sess. as amended by section 7, chapter 172, Laws of 1980 and RCW 43.19.1905; amending section 2, chapter 152, Laws of 1972 ex. sess. as amended by section 14, chapter 314, Laws of 1977 ex. sess. and RCW 43.43.705; amending section 6, chapter 115, Laws of 1967 ex. sess. as amended by section 9, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.060; amending section 1, chapter 129, Laws of 1974 ex. sess. and RCW 43.105.080; amending section 4, chapter 110, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.130; adding a new section to chapter 39.29 RCW; adding a new section to chapter 41.06 RCW; adding new sections to chapter 43.19 RCW; adding new sections to chapter 43.105 RCW; creating new sections; repealing section 4, chapter 239, Laws of 1975 1st ex. sess. and RCW 41.07.900; repealing section 1, chapter 115, Laws of 1967 ex. sess., section 1, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.010; repealing section 2, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.016; repealing section 2, chapter 115, Laws of 1967 ex. sess., section 3, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.020; repealing section 5, chapter 219, Laws of 1973 1st ex. sess., section 128, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.105.032; repealing section 6, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.041; repealing section 7, chapter 219, Laws of 1973 1st ex. sess. and RCW 43.105.043; repealing section 8, chapter 219, Laws of 1973 1st ex. sess. and RCW

43.105.045; repealing section 4, chapter 212, Laws of 1969 ex. sess. and RCW 43.105.070; providing an effective date; and declaring an emergency.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 942, by Committee on Appropriations – General Government and Representatives Williams, Wang and Johnson:

AN ACT Relating to the membership requirements on the commission on Asian-American affairs; and amending section 4, chapter 140, Laws of 1974 ex. sess. as last amended by section 16, chapter 338, Laws of 1981 and RCW 43.117.040.

To Committee on Appropriations – General Government

HOUSE BILL NO. 943, by Committee on Local Government and Representatives Isaacson and Hine:

AN ACT Relating to audits of local government; and amending section 43.09.282, chapter 8, Laws of 1965 and RCW 43.09.282.

To Committee on Local Government

HOUSE BILL NO. 944, by Committee on Local Government and Representatives Isaacson and Hine:

AN ACT Relating to audits of local government; and
AN ACT Relating to audits of local government; adding a new section to chapter 42.17 RCW; and prescribing penalties.

To Committee on Local Government

HOUSE BILL NO. 945, by Committee on Ethics, Law and Justice and Representative Tilly:

AN ACT Relating to elections; amending section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; and amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050.

To Committee on Ethics, Law and Justice

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 15, 1982

ENGROSSED SUBSTITUTE HOUSE BILL NO. 759, Prime Sponsor: Committee on Appropriations – Human Services, enacting the social and health services financial responsibility act. Reported by Committee on Rules.

REFERRED from Committee on Rules to Committee on Appropriations – Human Services.

January 14, 1982

HOUSE BILL NO. 822, Prime Sponsor: Committee on Appropriations – General Government, modifying the filing officer's duties and filing fees for amendments under Article 9 of the UCC. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

January 14, 1982

HOUSE BILL NO. 878, Prime Sponsor: Select Committee on Deregulation and Productivity, expanding the business license program including creating the business license center. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; King (R), Ranking Minority Member; McGinnis, Monohon.

Not attending: Representative McGinnis.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, January 19, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 19, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher and Garson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Anne Hou and John Davis. Prayer was offered by Father Theodore Marmo of St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

January 18, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3993,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 912, by Representative Barnes (by Governor Spellman request):

AN ACT Relating to the energy facility site evaluation council; amending section 2, chapter 45, Laws of 1970 ex. sess. as last amended by section 2, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.020; amending section 3, chapter 45, Laws of 1970 ex. sess. as last amended by section 3, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.030; amending section 4, chapter 45, Laws of 1970 ex. sess. as last amended by section 1, chapter 254, Laws of 1979 ex. sess. and RCW 80.50.040; amending section 16, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.071; amending section 17, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.075; amending section 9, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.090; reenacting and amending section 15, chapter 45, Laws of 1970 ex. sess. as last amended by section 1, chapter 41, Laws of 1979 and by section 2, chapter 254, Laws of 1979 ex. sess. and RCW 80.50.150; amending section 2, chapter 110, Laws of 1974 ex. sess. as last amended by section 13, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.175; amending section 14, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.180; and amending section 15, chapter 371, Laws of 1977 ex. sess. and RCW 80.50.190.

HOUSE BILL NO. 946, by Representatives Patrick, Walk and Lundquist (by Governor Spellman request):

AN ACT Relating to the traffic safety commission; amending section 3, chapter 147, Laws of 1967 ex. sess. as last amended by section 105, chapter 158, Laws of 1979 and RCW 43.59.030; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 947, by Representatives Fancher and Smith:

AN ACT Relating to cattle assessments; and amending section 11, chapter 133, Laws of 1969 as amended by section 1, chapter 93, Laws of 1975 1st ex. sess. and RCW 16.67.120.

To Committee on Agriculture

HOUSE BILL NO. 948, by Representatives Rust and Greengo:

AN ACT Relating to the taxation of inventories; amending section 2, chapter 169, Laws of 1974 ex. sess. as amended by section 8, chapter 196, Laws of 1979 ex. sess. and RCW 82.04.442; amending section 9, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.405; recodifying RCW 84.40.405 as a new section in chapter 82.04 RCW; and repealing section 3, chapter 169, Laws of 1974 ex. sess. and RCW 84.40.400.

To Committee on Revenue

HOUSE BILL NO. 949, by Representatives Eberle, Sherman, North and Warnke:

AN ACT Relating to telephone companies; and adding new sections to chapter 80.36 RCW.

To Committee on Energy and Utilities

HOUSE JOINT MEMORIAL NO. 19, by Representatives Nelson (D), Greengo and Hine:

Requesting Congress to enact legislation to permit states to impose service charges on federal property.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3993, by Committee on Transportation (originally sponsored by Senator Guess):

Implementing the International Registration Plan.

To Committee on Transportation

MOTIONS

On motion of Mr. Nelson (G), the bills and the memorial listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

MOTION FOR RECONSIDERATION

Mr. Van Dyken, having given prior notice, moved that the House now reconsider the vote by which HOUSE BILL NO. 787 failed to pass the House.

POINT OF ORDER

Mr. O'Brien: "Representative Martinis served notice that he would move for the reconsideration."

SPEAKER'S RULING

The Speaker: "Representative O'Brien, once the notice has been served, anyone may put the motion for reconsideration."

Mr. O'Brien: "Is that your ruling?"

The Speaker: "Representative O'Brien, we are relying on precedent here in the House of Representatives. I'll give you that citation later in the day, if I may. It is also quite clear in many other books dealing with parliamentary procedure—Demeter's Manual, among others. Reed's Rules, that you are holding onto, is rather silent on the matter."

The motion was carried.

On motion of Mr. Nelson (G), further consideration of House Bill No. 787 was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

SUBSTITUTE HOUSE BILL NO. 419, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Committee on Natural Resources and Environmental Affairs and Representatives Wilson and North):

Notifying the buyer of land when reforestation is required.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 419, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers,

Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Clayton, Dawson, Eng, Fancher, Garson, Teutsch, Winsley.

Substitute House Bill No. 419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 439, by Representatives North, Sherman and Garrett:

Providing that candidates for municipal office may file with the city clerk.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 439, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives James, Lewis, Schmidt.

Not voting: Representatives Clayton, Eng, Fancher, Garson, Winsley.

Engrossed House Bill No. 439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 461, by Representatives Prince, Burns, Isaacson, Amen and Stratton:

Authorizing educational reciprocity as to institutions of higher education with state of Idaho.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 461, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Clayton, Eng, Fancher, Garson, Winsley.

House Bill No. 461, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SUBSTITUTE HOUSE BILL NO. 506, by Committee on Revenue (originally sponsored by Representatives Dickie, Granlund, Smith, Hine, Fiske, Flanagan, Galloway, Lewis, Clayton, Van Dyken, McCormick, Patrick, Gallagher, Salatino, Wilson, Bickham, Winsley and Wang):

Modifying provisions on senior citizen tax relief.

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

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 506, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Armstrong, Eng, Fancher, Garson, Winsley.

Reengrossed Substitute House Bill No. 506, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please let the House Journal show that I would have voted for House Bill 506 on January 19, 1982. I was temporarily off the floor at the time of the vote.

SETH ARMSTRONG, 36th District.

MOTION

On motion of Mr. Nelson (G), ENGROSSED SUBSTITUTE HOUSE BILL NO. 100 and HOUSE BILL NO. 198 were rereferred to Committee on Rules.

SUBSTITUTE HOUSE BILL NO. 787, by Select Committee on Redistricting (originally sponsored by Representatives Eberle, Sanders and Prince):

Providing for congressional redistricting and reapportionment and establishing a redistricting commission.

The Speaker declared the question before the House to be reconsideration of final passage of Substitute House Bill No. 787.

MOTION

Mr. Nelson (G) moved that the rules be suspended, and Substitute House Bill No. 787 be returned to second reading for the purpose of amendment.

Mr. Martinis spoke in favor of the motion, and Mr. Prince spoke against it.

POINT OF INFORMATION

Mr. Heck: "Mr. Speaker, how many votes are needed to pass this motion?"

The Speaker: "Representative Heck, there are 96 people present and it requires two-thirds of those present. It would take 64 votes."

The motion was lost.

POINT OF PERSONAL PRIVILEGE

Mr. Martinis: "I realize that there was great effort made on both sides of the aisle to resolve the problem—the social and economic problem for the city of Everett—in trying to maintain this on a very high level and on a nonpartisan level. I would like to thank not only the members of my caucus who went together and showed real concerns for a community that I was born and raised in, but I would also like to thank the Speaker and those members on your side of the aisle who were sympathetic to the cause of the city of Everett. And those other people, I wish to thank you for putting up with me in my sincere efforts and the efforts of my people, my community leaders. If nothing else happened in this effort in the House of Representatives, you have united all of the elements of the city of Everett. Not for partisan effort, but to show a community that they can band together, Republicans and Democrats and independents. Believe me, we'll see it down here again—not on partisan issues, but on issues that concern our communities. Again, I'd like to thank the House of Representatives from the bottom of my heart."

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 787.

Mr. Eberle spoke in favor of passage of the bill, and Mr. Ehlers spoke against it.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 787, and the bill passed the House by the following vote: Yeas, 52; nays, 44; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fiske, Flanagan, Gallagher, Garrett, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Smith, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Galloway, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., Nelson G. A., O'Brien, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Sprague, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Wilson.

Not voting: Representatives Fancher, Garson.

Substitute House Bill No. 787, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Hastings, Substitute House Bill No. 787 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 847, by Representatives Barnes and Scott:

Revising maximum interest paid by operating agencies.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Barnes, Scott and Nelson (D) spoke in favor of passage of the bill, and Mr. Garrett spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 847, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, North, Salatino.

Not voting: Representatives Fancher, Garson, Warnke.

House Bill No. 847, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Hastings, House Bill No. 847 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 33, by Representatives Fiske, Thompson and Wilson:

Establishing a joint select committee on telephone systems.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 33 was advanced to second reading and read the second time in full.

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

Mr. Fiske spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Nelson (G), HOUSE BILL NO. 912 was referred to Committee on Energy and Utilities.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, January 20, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 20, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

MESSAGES FROM THE SENATE

January 19, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3007,
ENGROSSED SENATE BILL NO. 3310,
ENGROSSED SENATE BILL NO. 3318,
SENATE BILL NO. 3394,
ENGROSSED SENATE BILL NO. 3724,
REENGROSSED SENATE BILL NO. 3737,
ENGROSSED SENATE BILL NO. 3930,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 19, 1982

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 950, by Representatives Berleen and Kaiser (by Governor Spellman request):

AN ACT Relating to Washington health care facilities authority; amending section 3, chapter 147, Laws of 1974 ex. sess. as amended by section 157, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.37.030; amending section 5, chapter 147, Laws of 1974 ex. sess. as amended by section 1, chapter 121, Laws of 1981 and RCW 70.37.050; and declaring an emergency.

To Committee on Human Services

HOUSE BILL NO. 951, by Representatives Padden, Leonard and Winsley:

AN ACT Relating to agencies for the care of children, expectant mothers, and the developmentally disabled; and amending section 2, chapter 172, Laws of 1967 as last amended by section 83, chapter 155, Laws of 1979 and RCW 74.15.020.

To Committee on Human Services

HOUSE BILL NO. 952, by Representatives Schmidt, Owen, Wilson, Lundquist, Eberle, Dawson, Fiske, Nisbet and James:

AN ACT Relating to the ferry and toll bridge system; amending section 1, chapter 341, Laws of 1981 and RCW 47.60.013; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 953, by Representatives Valle, Fiske, Armstrong, Mitchell, Hine, Rust, Pruitt, Chandler, Patrick, Ellis, Lux, North, Nelson (D), Rosbach, Sherman and Winsley:

AN ACT Relating to professional counselors; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Human Services

HOUSE BILL NO. 954, by Representatives Valle, Sanders, Hine, Ellis, Pruitt, Chandler, Rust, North, Lux, Nelson (D), Rosbach, Sherman and Winsley:

AN ACT Relating to health professionals; adding new sections to chapter 9A.44 RCW; creating a new section; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 955, by Committee on Human Services and Representative Mitchell:

AN ACT Relating to public hospital districts; amending section 5, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.007; amending section 2, chapter 82, Laws of 1955 and RCW 70.44.045; amending section 15, chapter 264, Laws of 1945 as last amended by section 1, chapter 42, Laws of 1975 and RCW 70.44.050; amending section 6, chapter 264, Laws of 1945 as last amended by section 1, chapter 155, Laws of 1979 ex. sess. and RCW 70.44.060; amending section 7, chapter 264, Laws of 1945 and RCW 70.44.070; amending section 9, chapter 264, Laws of 1945 and RCW 70.44.080; amending section 11, chapter 264, Laws of 1945 and RCW 70.44.090; amending section 3, chapter 227, Laws of 1967 as amended by section 4, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.240; adding new sections to chapter 70.44 RCW; repealing section 1, chapter 264, Laws of 1945, section 1, chapter 165, Laws of 1974 ex. sess., section 2, chapter 143, Laws of 1979 ex. sess., section 2, chapter 155, Laws of 1979 ex. sess. and RCW 70.44.005; repealing section 20, chapter 264, Laws of 1945 and RCW 70.44.025; repealing section 1, chapter 102, Laws of 1963, section 1, chapter 7, Laws of 1970 ex. sess. and RCW 70.44.061; repealing section 8, chapter 264, Laws of 1945, section 107, chapter 141, Laws of 1979 and RCW 70.44.100; repealing section 18, chapter 264, Laws of 1945 and RCW 70.44.150; repealing section 10, chapter 264, Laws of 1945, section 3, chapter 157, Laws of 1965 and RCW 70.44.160; and repealing section 4, chapter 227, Laws of 1967 and RCW 70.44.250.

To Committee on Human Services

HOUSE BILL NO. 956, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to port districts; and amending section 2, chapter 348, Laws of 1955 as amended by section 1, chapter 47, Laws of 1975 1st ex. sess. and RCW 53.08.120.

To Committee on Local Government

HOUSE BILL NO. 957, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to counties; and amending section 36.32.240, chapter 4, Laws of 1963 as last amended by section 1, chapter 52, Laws of 1974 ex. sess. and RCW 36.32.240.

To Committee on Local Government

HOUSE BILL NO. 958, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to public utility districts; and amending section 2, chapter 124, Laws of 1955 as amended by section 4, chapter 220, Laws of 1971 ex. sess. and RCW 54.04.070.

To Committee on Local Government

HOUSE BILL NO. 959, by Committee on Financial Institutions and Insurance and Representatives Dawson and Bickham:

AN ACT Relating to insurance; and amending section .23.07, chapter 79, Laws of 1947 and RCW 48.23-.070.

To Committee on Financial Institutions and Insurance

ENGROSSED SENATE BILL NO. 3007, by Senators Hansen, Guess and Hughes:

Regulating private family day-care homes.

To Committee on Human Services

ENGROSSED SENATE BILL NO. 3310, by Senators Gould, Williams and Fuller:

Confirming rules adopted as standards for energy use in buildings.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 3318, by Senators Patterson, Wilson, Fuller and Charnley:

Authorizing the use of hotel/motel tax receipts for other capital purposes.

To Committee on Ways and Means

SENATE BILL NO. 3394, by Senators Goltz, Bottiger and Quigg:

Increasing the tax credit for cogeneration facilities.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 3724, by Senators Scott, Ridder, Gould, von Reichbauer and Woody:

Adding requirement for education on drug effects to school curriculum.

To Committee on Education

REENGROSSED SENATE BILL NO. 3737, by Senators Lee, Goltz and Haley:

Modifying the administration of winter recreation activities.

To Committee on Natural Resources and Environmental Affairs.

ENGROSSED SENATE BILL NO. 3930, by Senators Lee, Scott and Gallagher:

Repealing provisions relating to game department property taxes.

To Committee on Natural Resources and Environmental Affairs.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Metcalf, Vognlid, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller:

Requesting actions be filed in the Supreme Court against unsound monetary policies.

To Committee on Financial Institutions and Insurance

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and were passed to the committees designated.

REPORTS OF STANDING COMMITTEES

January 18, 1982

HOUSE BILL NO. 825, Prime Sponsor: Representative Nickell, authorizing blue lights on enforcement vehicles of the departments of fisheries and game. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 10 after "fisheries," insert "the Washington state parks and recreation commission,"

Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Erak, Lundquist, Martinis, McDonald, Nickell, Mitchell, Owen, Rinehart, Stratton, Thompson, Valle, Wilson.

Voting nay: Representative Barr.

Not signing report: Representative Dawson.

Not attending: Representatives Garson, Williams.

Passed to Committee on Rules for second reading.

January 18, 1982

HOUSE BILL NO. 832, Prime Sponsor: Committee on Agriculture, authorizing energy conservation programs by irrigation districts. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Fancher, Fiske.

Passed to Committee on Rules for second reading.

January 18, 1982

HOUSE BILL NO. 841, Prime Sponsor, Committee on Natural Resources and Environmental Affairs, extending the buy-back program for commercial salmon fishing vessels. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority member; Addison, Barr, Brekke, Dawson, Erak, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Rinehart, Stratton, Thompson, Valle, Wilson.

Not attending: Representatives Garson, Valle, Williams.

Passed to Committee on Rules for second reading.

January 18, 1982

HOUSE BILL NO. 842, Prime Sponsor: Committee on Natural Resources and Environmental Affairs, modifying provisions relating to crab fishing. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 33 after "unchanged." insert "Upon request of a vessel owner, the director may issue a temporary permit to allow the vessel owner to use the license endorsement on a leased or rented vessel."

Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Barr, Brekke, Dawson, McDonald, Mitchell, Owen, Rinehart, Stratton, Valle.

Voting nay: Representative Thompson.

Not voting: Representative Martinis.

Not signing report: Representatives Erak, Lundquist, Nickell, Wilson.

Not attending: Representatives Garson, Williams.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, January 21, 1982.

WILLIAM M. POLK, Speaker.

VITO T. CHIECHI, Chief Clerk

ELEVENTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, January 21, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Fancher, Garson, Hine, Sommers and Warnke.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kim Gruenenfelder and Randy Piava. Prayer was offered by Father Paul Dalton from St. Michael's Catholic Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 34, by Representative Nelson (G):

Calling a Joint Session for distinguished Canadians.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 34 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 34 was adopted.

HOUSE BILL NO. 960, by Committee on State Government and Representative Addison (by Office of Archaeology and Historic Preservation request):

AN ACT Relating to archaeology and historic preservation; amending section 9, chapter 195, Laws of 1977 ex. sess. and RCW 43.51A.110; amending section 70, chapter 99, Laws of 1979 and RCW 43.131.204; adding a new section to chapter 43.51A RCW; making an appropriation; and providing an expiration date.

To Committee on State Government

HOUSE BILL NO. 961, by Committee on Revenue and Representative Greengo:

AN ACT Relating to property tax exemptions; amending section 8, chapter 40, Laws of 1973 2nd ex. sess. as last amended by section 5, chapter 141, Laws of 1981 and RCW 84.36.810; amending section 9, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 18, chapter 291, Laws of 1975 1st ex. sess. and RCW 84.36.815; amending section 10, chapter 40, Laws of 1973 2nd ex. sess. as amended by section 1, chapter 127, Laws of 1975-'76 2nd ex. sess. and RCW 84.36.820; and adding a new section to chapter 40, Laws of 1973 2nd ex. sess. and to chapter 84.36 RCW.

To Committee on Revenue

HOUSE BILL NO. 962, by Committee on Revenue and Representative Greengo:

AN ACT Relating to revenue and taxation; amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 963, by Committee on Revenue and Representative Greengo:

AN ACT Relating to use taxation; and amending section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010.

To Committee on Revenue

HOUSE BILL NO. 964, by Committee on Revenue and Representative Greengo:

AN ACT Relating to real estate excise taxation; amending section 2, chapter 167, Laws of 1981 and RCW 82.45.100; amending section 6, chapter 154, Laws of 1980 as amended by section 3, chapter 167, Laws of 1981 and RCW 82.45.180; and amending section 15, chapter 154, Laws of 1980 (uncodified).

To Committee on Revenue

HOUSE BILL NO. 965, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Johnson (by Department of Corrections request):

AN ACT Relating to corrections; and adding a new section to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 966, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

AN ACT Relating to corrections; and amending section 13, chapter 20, Laws of 1973 and RCW 72.66.036.

To Committee on Institutions

HOUSE BILL NO. 967, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

AN ACT Relating to corrections; amending section 1, chapter 40, Laws of 1959 as last amended by section 72, chapter 136, Laws of 1981 and RCW 72.01.370; and adding a new section to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 968, by Committee on Institutions and Representatives Houchen, Owen and Struthers (by Department of Corrections request):

AN ACT Relating to prisoners; and amending section 72.68.080, chapter 28, Laws of 1959 as amended by section 10, chapter 122, Laws of 1967 ex. sess. and RCW 72.68.080.

To Committee on Institutions

HOUSE BILL NO. 969, by Committee on Institutions and Representatives Houchen, Owen and Struthers (by Department of Corrections request):

AN ACT Relating to corrections; and adding a new section to chapter 72.70 RCW.

To Committee on Institutions

HOUSE BILL NO. 970, by Committee on Institutions and Representatives Houchen, Owen, Struthers, Clayton and Hastings (by Department of Corrections request):

AN ACT Relating to criminal procedure; and amending section 76, page 114, Laws of 1854 as last amended by section 1032, code of 1881 and RCW 10.34.020.

To Committee on Institutions

HOUSE BILL NO. 971, by Committee on Institutions and Representatives Houchen, Owen and Struthers (by Department of Corrections request):

AN ACT Relating to corrections; amending section 1, chapter 171, Laws of 1971 ex. sess. and RCW 72.02.100; and amending section 2, chapter 171, Laws of 1971 ex. sess. as amended by section 80, chapter 136, Laws of 1981 and RCW 72.02.110.

To Committee on Institutions

HOUSE BILL NO. 972, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to veterans' loan insurance; amending section 43.19.015, chapter 8, Laws of 1965 as amended by section 2, chapter 115, Laws of 1981 and RCW 43.19.015; creating a new section; repealing section 1, chapter 217, Laws of 1945 and RCW 73.12.010; repealing section 4, chapter 217, Laws of 1945 and RCW 73.12.030; repealing section 5, chapter 217, Laws of 1945 and RCW 73.12.040; repealing section 6, chapter 217, Laws of 1945 and RCW 73.12.050; repealing section 7, chapter 217, Laws of 1945, section 42, chapter 3, Laws of 1981 and RCW 73.12.060; and providing an effective date.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 973, by Representatives Wang, Mitchell, Barnes, Kreidler, Vander Stoep, Nelson (D), Rinehart, Tupper, Stratton, Pruitt, Sherman, Lux and Armstrong:

AN ACT Relating to public health and safety; adding new sections to chapter 19.27 RCW; and creating a new section.

To Committee on Human Services

HOUSE BILL NO. 974, by Representatives Wilson, Thompson, Clayton and Maxie (by Secretary of State request):

AN ACT Relating to legal advertising in newspapers.

To Committee on State Government

HOUSE BILL NO. 975, by Representatives Nelson (D), Scott, Hine, Bender, Armstrong, Wang, Sherman and Lux:

AN ACT Relating to energy facilities; adding a new section to chapter 80.50 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 976, by Representative King (J):

AN ACT Relating to community social services; and adding a new chapter to Title 74 RCW.

To Committee on Human Services

HOUSE BILL NO. 977, by Representatives King (J), Sanders, Heck, Galloway, Scott, Bender, Owen, Hine, Salatino, Brown, Wang, King (R), Stratton, Rust, Kaiser, Valle, Maxie, Brekke, Nelson (D), Johnson, Burns, Pruitt and Armstrong:

AN ACT Relating to business and industrial development corporations; creating a new title; and prescribing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 978, by Representatives Smith, Flanagan and Clayton:

AN ACT Relating to hydraulic projects; amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100; and adding a new section to chapter 75.20 RCW.

To Committee on Agriculture

HOUSE BILL NO. 979, by Committee on Transportation and Representative Wilson:

AN ACT Relating to highways; amending 36.80.060, chapter 4, Laws of 1963 as amended by section 10, chapter 182, Laws of 1969 ex. sess. and RCW 36.80.060; amending section 36.82.130, chapter 4, Laws of 1963 as amended by section 13, chapter 182, Laws of 1969 ex. sess. and RCW 36.82.130; amending section 36.86.070, chapter 4, Laws of 1963 and RCW 36.86.070; amending section 36.86.080, chapter 4, Laws of 1963 and RCW 36.86.080; amending section 43.32.010, chapter 8, Laws of 1965 as amended by section 6, chapter 85, Laws of 1971 ex. sess. and RCW 43.32.010; and amending section 47.48.020, chapter 13, Laws of 1961 as amended by section 2, chapter 216, Laws of 1977 ex. sess. and RCW 47.48.020.

To Committee on Transportation

HOUSE BILL NO. 980, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

AN ACT Relating to public assistance; adding a new section to chapter 74.08 RCW; creating a new section; repealing section 11, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.08.042; providing an effective date; and declaring an emergency.

To Committee on Human Services

HOUSE BILL NO. 981, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to county clerks; and adding a new section to chapter 36.23 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 982, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to court fees; amending section 16, chapter 160, Laws of 1913 and RCW 13.04.160; amending section 16, chapter 98, Laws of 1979 and RCW 26.27.160; amending section 1, chapter 38, Laws of 1973 as last amended by section 5, chapter 330, Laws of 1981 and RCW 36.18.020; amending section 36.18.110, chapter 4, Laws of 1963 and RCW 36.18.110; and amending section 36.18.120, chapter 4, Laws of 1963 and RCW 36.18.120.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 983, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to attorneys' fees in civil actions in justice court; amending section 1, chapter 84, Laws of 1973 as amended by section 1, chapter 94, Laws of 1980 and RCW 4.84.250; repealing section 7, chapter 84, Laws of 1973 and RCW 4.84.310; and repealing section 85, page 237, Laws of 1854, section 84, page 350, Laws of 1873, section 1785, Code of 1881, section 1, chapter 12, Laws of 1893, section 1, chapter 43, Laws of 1915, section 1, chapter 30, Laws of 1975-'76 2nd ex. sess. and RCW 12.20.060.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 984, by Representatives Sherman and North:

AN ACT Relating to local government; amending section 35A.14.210, chapter 119, Laws of 1967 ex. sess. as amended by section 12, chapter 251, Laws of 1971 ex. sess. and RCW 35A.14.210; and amending section 16, chapter 189, Laws of 1967 as last amended by section 97, chapter 81, Laws of 1971 and RCW 36.93.160.

To Committee on Local Government

HOUSE BILL NO. 985, by Representatives Mitchell, Greengo, Kreidler, Lewis, Wang, Nisbet, Stratton, Chandler, Pruitt, Houchen, Barrett, Van Dyken, Becker, Wilson, Valle, Patrick, Brekke, Fiske, Tupper, Scott, Johnson, Maxie and McCormick (by Planning and Community Affairs Agency request):

AN ACT Relating to the business and occupation tax deduction for health or social welfare services rendered by not-for-profit organizations; and amending section 6, chapter 196, Laws of 1979 ex. sess. as amended by section 80, chapter 37, Laws of 1980 and RCW 82.04.431.

To Committee on Human Services

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 20, 1982

HOUSE BILL NO. 273, Prime Sponsor: Committee on Natural Resources and Environmental Affairs, authorizing increases in the compensation paid members of the youth conservation corps. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Barr, Brekke, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Rinehart, Stratton, Thompson, Valle, Wilson.

Changing vote from nay to aye: Representative Addison.

Not attending: Representatives Dawson, Erak, Garson, Williams.

Passed to Committee on Rules for second reading.

January 19, 1982

HOUSE BILL NO. 835, Prime Sponsor: Committee on State Government, directing that statutes and administrative rules be written in simple, clear and concise language. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Kaiser, Lewis, McGinnis, Sprague.

Voting nay: Representatives Nelson (D), Nickell, O'Brien, Rinehart, Rust.

Not attending: Representatives Garson, Vice Chairman; Johnson.

Passed to Committee on Rules for second reading.

January 19, 1982

HOUSE BILL NO. 837, Prime Sponsor: Committee on State Government, providing incentive pay for state employees. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority

Member; Erak, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, Rinehart, Rust, Sprague.

Not signing report: Representatives Greengo, O'Brien.

Not attending: Representative Garson, Vice Chairman.

Passed to Committee on Rules for second reading.

January 19, 1982

HOUSE BILL NO. 855, Prime Sponsor: Representative Isaacson, extending scope of expenses charged for auditing municipal corporations. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representative Brown.

Passed to Committee on Rules for second reading.

January 19, 1982

HOUSE BILL NO. 865, Prime Sponsor: Committee on Appropriations - General Government, appropriating funds for the establishment of a boat moorage fee program at selected state parks. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Barnes, Ellis, Kaiser, King (J), McGinnis, Monohon, Rosbach.

Not attending: Representatives Amen, Maxie.

Passed to Committee on Rules for second reading.

January 19, 1982

HOUSE BILL NO. 942, Prime Sponsor: Committee on Appropriations - General Government, modifying the membership requirements on the commission on Asian-American affairs. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Barnes, Ellis, Kaiser, King (J), McGinnis, Monohon, Rosbach.

Not attending: Representatives Amen, Maxie.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 884, by Committee on Ethics, Law and Justice and Representative Ellis (by Code Reviser request):

Correcting double amendments to various statutes.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 884, and the bill passed the House by the following vote: Yeas, 83; nays, 0; not voting, 15.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Addison, Clayton, Dawson, Eberle, Fancher, Garson, Isaacson, James, Lux, O'Brien, Sommers, Taylor, Teutsch, Warnke, and Mr. Speaker.

House Bill No. 884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

HOUSE BILL NO. 600, by Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Schmidt, Becker Tilly, Winsley, Bickham, Pruitt and Granlund:

Making various changes in criminal laws.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 600, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Dawson, Fancher, Garson, Hine, Isaacson, James, Sommers, Warnke, and Mr. Speaker.

House Bill No. 600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 15, by Committee on State Government and Representative Lewis:

Requesting that the U.S. postal service issue a stamp commemorating the eruption of Mount St. Helens.

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

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 15, and the bill passed the House by the following vote: Yeas, 85; nays, 6; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Voting nay: Representatives Bond, Ellis, Eng, Hastings, Sherman, Sprague.

Not voting: Representatives Fancher, Garson, Hine, Rosbach, Sommers, Warnke, and Mr. Speaker.

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

SUBSTITUTE HOUSE BILL NO. 115, by Committee on Higher Education (originally sponsored by Representatives Winsley, Teutsch, Brown, Isaacson, Tupper, Burns, Rust and Greengo):

Implementing law relating to refund or cancellation of tuition and fees at institutions of higher education.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 115, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo,

Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Maxie, Sommers, Warnke, and Mr. Speaker.

Substitute House Bill No. 115, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD SUBSTITUTE HOUSE BILL NO. 179, by Committee on Appropriations – Human Services (originally sponsored by Committee on Human Services and Representatives Mitchell, Winsley, Houchen, Brekke, Wang, Patrick, Rinehart and Brown):

Creating the council on child abuse and neglect.

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

ROLL CALL

The Clerk called the roll on the final passage of Third Substitute House Bill No. 179, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Williams, Wilson, Winsley.

Voting nay: Representative Vander Stoep.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

Third Substitute House Bill No. 179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 213, by Committee on State Government (originally sponsored by Representatives Thompson, Barrett, Isaacson, Teutsch and Sanders):

Modifying the scope of the Open Public Meetings Act.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 213, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

Substitute House Bill No. 213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 357, by Committee on State Government and Representatives Addison and Walk:

Modifying provisions on the preservation and destruction of public records.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 357, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

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

MOTION

On motion of Mr. Nelson (G), HOUSE BILL NO. 370 was rereferred to Committee on Rules.

HOUSE BILL NO. 375, by Committee on Labor and Economic Development and Representatives Patrick, Sanders, Smith, Salatino, Garrett and Wang:

Modifying the regulation of automotive repair.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 375, and the bill passed the House by the following vote: Yeas, 86; nays, 5; not voting, 7.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Wilson, Winsley.

Voting nay: Representatives Amen, Flanagan, McDonald, Tilly, Williams.

Not voting: Representatives Fancher, Garson, Hine, King J., Sommers, Warnke, and Mr. Speaker.

House Bill No. 375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 385, by Committee on Labor and Economic Development and Representatives Sanders, Patrick, Eberle, Flanagan, Barrett, Hankins, Clayton, King (J), Monohon, Smith, Ellis, Vander Stoep, Isaacson, Addison and McGinnis:

Enacting the Regulatory Fairness Act.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 385, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

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

HOUSE BILL NO. 442, by Committee on Labor and Economic Development and Representatives Sanders, Scott, Eberle, Garrett, Nelson (G) and Clayton:

Revising laws pertaining to discipline of engineers.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 442, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

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

HOUSE BILL NO. 500, by Committee on Ethics, Law and Justice and Representatives Ellis and Salatino (by Code Reviser request):

Adopting a rule of statutory construction that a reference includes any amendments to the referenced statute.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 500, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

House Bill No. 500, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 572, by Committee on State Government and Representative Addison:

Transferring responsibility for voting devices to the secretary of state.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 572, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke, and Mr. Speaker.

House Bill No. 572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 621, by Representatives Winsley and North:
Modifying provisions relating to cruelty to animals.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 621, and the bill passed the House by the following vote: Yeas, 90; nays, 2; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Voting nay: Representatives James, Lundquist.

Not voting: Representatives Fancher, Garson, Hinc, Sommers, Warnke, and Mr. Speaker.

Engrossed House Bill No. 621, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

HOUSE BILL NO. 682, by Committee on Ethics, Law and Justice and Representative Ellis:

Extending the statute of limitations for certain crimes of sexual abuse against children.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 682, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Garson, Hinc, Sommers, Warnke.

House Bill No. 682, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 709, by Committee on Local Government (originally sponsored by Committee on Local Government and Representatives Brown and Isaacson):

Transferring county treasurers' duties relating to metropolitan park districts to city treasurers.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 709, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor,

Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Garson, Hine, King J., Sommers, Warnke, Williams.

Substitute House Bill No. 709, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 720, by Committee on Ethics, Law and Justice and Representatives Isaacson and Ellis:

Modifying persons authorized to become donees of gifts of human remains.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 720, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke.

House Bill No. 720, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), SUBSTITUTE HOUSE BILL NO. 593 was placed at the bottom of today's third reading calendar.

On motion of Mr. Nelson (G), SUBSTITUTE HOUSE BILL NO. 808 was placed on the third reading calendar for immediate consideration.

SUBSTITUTE HOUSE BILL NO. 808, by Committee on Appropriations - Human Services (originally sponsored by Representatives Nisbet, Owen, Houchen and Struthers - by Governor Spellman request):

Providing for a 500-man medium security correction center.

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

Representatives Scott, Nisbet, Struthers, Houchen and Owen spoke in favor of passage of the bill, and Representatives Becker, Ehlers and Stratton spoke against it.

Mr. Scott spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 808, and the bill passed the House by the following vote: Yeas, 67; nays, 26; not voting, 5.

Voting yea: Representatives Addison, Amen, Barr, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Valle, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Barrett, Becker, Brekke, Burns, Cole, Eng, Gallagher, Kaiser, King J., Kreidler, Lux, Monohon, Nelson D., North, Pruitt, Rinehart, Rust, Salatino, Sherman, Stratton, Teutsch, Thompson, Van Dyken, Wang.

Not voting: Representatives Fancher, Garson, Hine, Sommers, Warnke.

Substitute House Bill No. 808, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please let the record show that I voted "YEA" for Substitute House Bill No. 115, House Bill No. 600, House Bill No. 884 and House Joint Memorial No. 15.

RAY ISAACSON, 8th District.

MOTION

On motion of Mr. Nelson (G), the House advanced to the tenth order of business for the purpose of Joint Session.

JOINT SESSION

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

The Speaker requested the Sergeants at Arms of the Senate and House to escort Lt. Governor John Cherberg, President Pro Tem Sam Guess and Vice President Pro Tem George Clarke of the Senate to the rostrum.

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

The Speaker: "This Joint Session is called for the purpose of welcoming to our state, distinguished dignitaries from Canada and His Excellency, the Honorable W. R. Bennett, Premier of British Columbia.

"The Speaker would like to acknowledge some visitors with us today. In the gallery, a group of people who have entertained most of the members of this Joint Session during the very recent weeks, The Diamonds. Would The Diamonds please stand and be recognized by the House and the Senate." (Applause)

The Speaker presented the gavel to President Cherberg.

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

The Clerk of the House called the roll of the House and all members were present except Representatives Fancher, Garson, Hine, Sommers and Warnke, who were excused.

The President of the Senate appointed Senators Hayner, Bottiger, Hemstad and Talmadge and Representatives Lundquist, Sherman, McDonald, Walk and Hankins to escort the Supreme Court Justices to seats within the House Chamber.

The President of the Senate appointed Senators Fuller, Hurley and Craswell and Representatives Isaacson, Rinehart, Dawson and Maxie to escort the State Elected Officials to seats within the House Chamber.

The President of the Senate appointed Senators Quigg and Ridder and Representatives Barr, Thompson and Nisbet to escort the Canadian cabinet members to the rostrum.

The President of the Senate appointed Senators Sellar and Moore and Representatives Hastings and Heck to escort Governor Spellman to the rostrum.

The President of the Senate appointed Senators Jones and Goltz and Representatives Gary Nelson and Ehlers to escort the Premier of British Columbia to the rostrum.

President Cherberg: "Mr. Speaker, Governor Spellman, honored members of the Supreme Court, elected state officials, ladies and gentlemen of the legislature, I have the honor to present to you our distinguished guests from British Columbia:

"The Honorable Garde B. Gardom, Minister of Intergovernmental Relations;

"Mr. Patrick Insella, Deputy Minister to the Premier;

"Dr. Norman Spector, Assistant Deputy Minister for Policy;

"Mr. Mike Bailey, Executive Assistant, and

"Mr. Hall Leiren, Press Secretary.

"Gentlemen, welcome to the State of Washington.

"I would also like to introduce to you some very distinguished guests seated in the north gallery:

"The first lady of Washington State, Mrs. Lois Spellman;

"The first lady of British Columbia, Mrs. Audrey Bennett;

"The Honorable J. R. Sharpe, Canadian Consul General and Mrs. Sharpe;

"The Honorable Walter Lockwood, American Consul General and Mrs. Lockwood."

President Cherberg introduced Speaker Polk for welcoming remarks.

Speaker Polk: "Thank you, Governor Cherberg. Governor Spellman, very distinguished guests, ladies and gentlemen: It's a distinct honor and a pleasure to welcome you here today to meet His Excellency Premier William R. Bennett of British Columbia. I am reliably informed that Premier Bennett has heard about our reapportionment plan and has come to meet some of his new constituents.

"Our relationship with our neighbors to the north has always, and continues to be, one of cordial and productive relations and I am certain that all of us will find the experiences and approaches with which our Canadian friends are addressing the concerns, which all of us share, to be most interesting and productive. I have to confess that in the dozen or so years now that I have been in the Washington State Legislature that we have not had great amount of governmental contact between our Legislature and that of British Columbia and I think we should all regard that as one of lost opportunity.

"Mr. Bennett, I think your visit today brings with it a rich opportunity for establishing a strong working relationship between our governments—a close working relationship between the State of Washington and British Columbia—and I am certainly encouraged by that. I want to extend a heartfelt and warm welcome to you and your visitors who are with us today. I hope you will find your visit fruitful and rewarding."

The President of the Senate introduced Governor John Spellman.

Governor Spellman: "Speaker Polk, distinguished members of the Supreme Court, members of the House and Senate, distinguished guests, ladies and gentlemen: As Governor, I am greatly honored by the opportunity to welcome and introduce to our Legislature, the Premier of the Province of British Columbia, the Honorable William Richards Bennett. He has the unique distinction of being the son of a Premier, the late W.A. C. Bennett, who for two decades was Premier of British Columbia.

"Our state's quest is for better relations with British Columbia and indeed we have the opportunity to reach out the hand of friendship across the border and meet in Victoria with Premier Bennett. I had the rare experience of speaking to their Legislative Assembly and the experience of seeing a Legislative Assembly where the Premier didn't just come in occasionally to talk, but was the center of all debate. He is at least a part of the debate of which he is the center.

"He is a native of British Columbia and went through the school system in British Columbia and later distinguished himself in business. He followed then in his father's footsteps in public life. The diversity and breadth of his business career spanning lumber, agriculture and investment companies, wholesale and retail, I think, reflects the diversity that he has brought to public service. He has, for three decades, been an active member of the British Columbia Social Credit Party. When he first sought public office, really only eight years ago, he was elected as a representative from the Okanogan south constituency to the Provincial Legislative Assembly. Two years later he was chosen as Premier and for those of you who may not know, he is not only Premier, but he is a very active floor leader and the leader of all debate. Almost everyone sitting behind you is not only a member of the cabinet, but is an elected representative of their constituency as well. If I think I have problems with department heads, imagine having elected department heads. It seemed to work rather well on the occasion I was there.

"His resume, I don't think, would be complete without referring to the fact the he and Audrey, who is gracing us with her attendance this morning, have four sons and maintain a residence in the Okanogan Territory in addition to being in Victoria. This is only the second time, as far as I can determine, that a provincial Premier has addressed this body. After their generous welcome and the opportunity I received to speak to their Legislative Assembly, I think this is an important occasion, because we do so much business and we have so much cultural activity and so much educational activity that we share. It is important that we—despite our differences, because we are different countries and we have different political systems—that Washington and British Columbia share a common destiny and we acknowledge that as we have shared a very fruitful and common past. We have agreed, the Premier and I, that when we do differ, we will not bicker; that our mutual problems call for solutions, not confrontations. So, on my last visit I discovered Premier Bennett to be a leader with charm and insight, great skill and I know you will share my view as you join in welcoming him.

"Ladies and gentlemen, it is my privilege to present to you the Honorable W. R. Bennett, Premier of British Columbia."

Premier Bennett: "Governor Spellman, Lieutenant Governor Cherberg, Mr. Speaker, members of the State Supreme Court, the Senate and the House of Representatives, and, of

course, Canadian Consul General Sharpe and American Consul Lockwood, distinguished guests: It is a great honor and pleasure for me to have the honor to speak with you today. I must say, coming from a Legislature in British Columbia, I have never experienced a welcome such as you have given to me and to understand that, you must sometime, if you have not, visit the proceedings of the British Columbia Legislature to get some idea of the different sort of welcome I receive there.

"Although we are now well into the month of January, I cannot let this occasion pass without conveying two sets of wishes. First I bring with me the greetings and belated wishes for a happy and successful new year to all of you from the 2,700,000 British Columbians who are your neighbors to the north. Secondly, it pleases me to offer my congratulations to the University of Washington Huskies for their well-earned Rose Bowl victory. I might say that I hope some of their success would rub off on the Seattle Seahawks and the British Columbia Lions, who aren't noted for the same success the Huskies have.

"We, in the vibrant and burgeoning problems of British Columbia, believe we are very fortunate—indeed, that we are doubly blessed. In the first place, we are endowed with a land that is immeasurably rich in natural resources and in scenic wonderment. A land that is a source of both our life style and our livelihood. The second blessing is that we have the inestimable advantage of having neighbors such as yourselves and on a larger scale that as Canadians we have you, as Americans on our frontier. I call you neighbors, but in truth, we are more. We are neighbors by chance, but we are friends by choice. That we have come to share a frontier through the shifting of continents from the fashioning of mountains out of the sea, was surely beyond man's control. That we have taken this frontier and have made it a pathway to close encounters of commerce and friendship is a tribute to the wisdom of our forefathers and the continuing good sense of our people today. One has only to look at recent events in Poland to appreciate how fortunate we are to be free men and women. Free to build our lives according to our efforts and our abilities; free to criticize our governments; free to cross into each others country, albeit sometimes slowed considerably by the traffic at the border at Blaine. However, our system of government may differ somewhat—your Constitution having been forged out of revolution; our own after many years of discussion, and in recent months, after some division, in the Canadian way of compromise and conciliation—as neighbors and friends we share, to a great extent, the common past, common traditions and a common feature of prosperity that is the framework of freedom and liberty.

"Each time I look at our corner of the world on a globe, located as we are in the northeast of the great Pacific Rim, an area that spans such diverse societies and exciting markets as Australia, Mexico, Japan and the Asian, or Southeast Asian nations, I'm awed by the bountiful opportunities that await us in the future. With Alaska and the Yukon to the north, and British Columbia and Washington to the south, we share an area together of 1.2 million square miles which is roughly one-third of the total of your United States. When we consider our immense natural resources, our fortune in being part of the developing Pacific Rim, and most importantly, the energies, skills and creativity of our people, one cannot help but be impressed by the future potential of our corner of the world for the rest of this century and for the century to follow.

"I recently returned from a visit to Japan. What I saw will come as no surprise to your Governor, who has had the foresight to lead trade missions to that part of the world. I've been to Japan and seen a society of almost continuous technological change and innovation; of dynamic marketing and above all, a cooperative effort and commitment toward the achievement of mutually beneficial goals. Although our histories and traditions are quite different, there are some lessons we can learn or relearn from the Japanese, both economically and socially. The Japanese have gained greatly from a commitment to growth and productivity; from an emphasis on cooperation above confrontation. In recent months as the economy has turned down, we have seen workers and managers in both Canada and the United States come to recognize a common interest in the health and prosperity of their enterprise and in an environment of tough international competition, it is to be hoped that this new knowledge will endure once the economic situation improves. Just as we might learn to put greater emphasis on cooperation in our internal affairs, if we, in the Pacific Northwest, are to benefit fully from our good fortune in the provinces and the states, we must take every appropriate opportunity available to us to cooperate with each other.

"Forest fire suppression and emergency measure agreements, signed by your Governor and myself on his visit to Victoria last year, are tangible examples of the benefits of dialogue and cooperation to both of our peoples. Agreements such as these can only result in the strengthening of our region and, indeed, of the entire social and economic fabric of our respective

nations. The spirit of cooperation in our region can serve as a beacon of hope for improving relations between our two great countries. At present the people of British Columbia and of your state are experiencing difficult economic times, with the very high levels of unemployment the most disturbing feature. Entire industries, and most particularly the forest industry, on both sides of the border are undergoing unprecedented challenge. Governments, too, are facing a down turn in their fiscal fortune and are having to come to grips with a period of fiscal restraint. In your country the federal administration is transferring a greater share of the burden of financing social programs to the states in the name of decentralizing power. In my country the same process is under way, but, ironically, in the name of centralizing power. But whatever the rationale, the process underway in both countries makes it all the more necessary that we pursue economic recovery as our number one social priority. As it is increasingly clear, in order to do good, you have to do well. In this vein, I cannot help but recall the words of your late President, John F. Kennedy, who, in commenting on the importance of economic growth to all society, once observed that a rising tide lifts all boats.

"I'm optimistic. I sense that this period we are going through, difficult as it may be, is only a temporary adjustment. A challenge, if you will, posed by the world to test the energy and creativity of our respective nations. I believe in the underlying strength of our two nations, and I am confident that this strength will soon begin to manifest itself to the long-term benefit of our people. This does not mean that periodic differences between British Columbia and the State of Washington will disappear. Governor Spellman, when addressing the British Columbia Legislature last May, put it very aptly—if I may quote him when he said, 'It is normal for friends and neighbors who share a common fence to fall into occasional dispute, sometimes even with a bit of yelling across that fence.' He went on to point out that British Columbia and the State of Washington have too much in common to let occasional dispute stand between us. I agree with Governor Spellman. For the benefit of both British Columbia and the State of Washington, both sides must accept the challenge of resolving these disputes through communication and cooperation. We must always be careful that we do not allow issues to escalate, for as Governor Spellman and I know at first hand, once voices have been raised, it takes a lot of hard work to restore good relations. When I refer to our mutual benefit, I'm not only referring to trade and commerce, to questions such as energy, forests and environmental quality, I'm also referring to our friendship. I believe the financial rewards of cooperation are secondary to the real rewards, that of the enhancement of the sense of harmony and mutual understanding and of genuine closeness that we share in this part of the world. That is the greatest reward of all. In the best of times small incidents can magnify in importance and threaten a basically healthy relationship. In times such as those we must be especially vigilant not to allow short term economic difficulties to lead to 'beggar thy neighbor' policies. If we, in the Pacific Northwest know anything—and this is a lesson that perhaps our eastern countries seem not to have learned from the 1930's—it is that trade must be made freer and not more controlled and that economic barriers must be reduced rather than reinforced.

"Again, I would like to thank you, Governor Spellman, on behalf of myself and all British Columbians for honoring us by allowing me the opportunity to address your Legislature today. Official visits of this type are an important part of the communication and cooperation I've just mentioned. To that end, we in British Columbia are looking forward, Governor, to your next visit to us, hopefully later this year. Again thank you very much for your courtesy today."

Lieutenant Governor Cherberg presented Premier Bennett with a plaque making him an honorary member of the United States.

Speaker Polk presented a gift to Premier Bennett.

President Cherberg requested the escort committee to escort Premier Bennett to the State Reception Room.

The President requested the committee to escort Governor Spellman to the State Reception Room.

The President requested the committee to escort the visiting dignitaries to the State Reception Room.

The President requested the committee to escort the state elected officials to the State Reception Room.

The President requested the committee to escort the Supreme Court Justices to the State Reception Room.

MOTION

On motion of Mr. Nelson (G), the Joint Session was dissolved.

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

The Speaker requested the Sergeants at Arms of the Senate and the House to escort Lieutenant Governor Cherberg, President Pro Tem Guess and Vice President Pro Tem Clarke and the Senators to the State Reception Rom.

The House resumed its session.

MOTION

On motion of Mr. Nelson (G), the House reverted to the third order of business.

MESSAGE FROM THE SENATE

January 21, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 34,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 34.

SENATE AMENDMENTS TO HOUSE BILL

January 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 847 with the following amendments:

On page 2, line 24 after "act." insert "The legislative body of any member may authorize and make such advances or contributions to an operating agency to assist in a plan for termination of a project or projects, whether or not such member is a participant in such project or projects. Any member who makes such advances or contributions for terminating a project or projects in which it is not a participant shall not assume any liability for any debts or obligations related to the terminated project or projects on account of such advance or contribution."

On page 2, line 29 strike "twelve" and insert "fifteen" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Barnes moved that the House do concur in the Senate amendments to House Bill No. 847.

On motion of Mr. Ehlers, the question was divided.

The Speaker stated the question before the House to be the motion that the House do concur in the Senate amendment to page 2, line 24.

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

The Speaker stated the question now before the House to be the motion that the House do concur in the Senate amendment to page 2, line 29.

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

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 847 as amended by the Senate.

Mr. Garrett spoke against passage of the bill, and Mr. Scott spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 847 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie,

Eberle, Ellis, Eng, Erak, Fiske, Flanagan, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brown, Ehlers, Gallagher, Garrett, Kaiser, Salatino.

Not voting: Representatives Fancher, Garson, Hine, Warnke.

House Bill No. 847 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 221 was rereferred to Committee on Local Government.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 847.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, January 22, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 22, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Chandler, Fancher, Garson, Leonard and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jill Eberle and Justin vonGotler. Prayer was offered by Father Theodore Marmo from St. Michael's Catholic Church of Olympia.

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

MESSAGE FROM THE SENATE

January 21, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 847,

HOUSE CONCURRENT RESOLUTION NO. 34,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION

January 20, 1982

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 33 with the following amendment:

On page 1, line 15 strike "majority leader" and insert "president" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House concurred in the Senate amendment to House Concurrent Resolution No. 33.

House Concurrent Resolution No. 33 as amended by the Senate was adopted.

The Speaker called on Mr. Amen to preside.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 986, by Committee on Appropriations – General Government and Representatives Williams, Wang, McDonald, Ellis and James:

AN ACT Relating to retirement from public service; amending section 5, chapter 151, Laws of 1972 ex. sess. as amended by section 8, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.185; and amending section 20, chapter 274, Laws of 1947 as last amended by section 9, chapter 190 Laws of 1973 1st ex. sess. and RCW 41.40.190.

To Committee on Appropriations – General Government

HOUSE BILL NO. 987, by Committee on Appropriations – General Government and Representatives Williams, Wang, McDonald, Ellis and James:

AN ACT Relating to school district employees; amending section 2, chapter 16, Laws of 1981 and RCW 28A.58.095; amending section 3, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 16, Laws of 1981 and RCW 28A.58.100; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Appropriations – General Government

HOUSE BILL NO. 988, by Representatives James, Owen, Houchen, Lundquist, Berleen, Sanders, Schmidt, Barrett, Brown, Addison, Ellis, Hastings, Johnson, Smith, Flanagan, Williams, Struthers, Mitchell and Bickham:

AN ACT Relating to unlawful issuance of checks or drafts; amending section 9A.56.060, chapter 260, Laws of 1975 1st ex. sess. as amended by section 14, chapter 244, Laws of 1979 ex. sess. and RCW 9A.56-.060; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 989, by Representative Vander Stoep (by Department of Retirement Systems request):

AN ACT Relating to retirement from public service; amending section 139, chapter 80, Laws of 1947 as last amended by section 13, chapter 294, Laws of 1981 and RCW 41.32.590; and repealing section 4, chapter 147, Laws of 1972 ex. sess., section 1, chapter 17, Laws of 1975 and RCW 41.32.680.

To Committee on Appropriations - General Government

HOUSE BILL NO. 990, by Representative Vander Stoep (by Department of Retirement Systems request):

AN ACT Relating to retirement from public service; amending section 12, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.120; amending section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180; amending section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as last amended by section 5, chapter 106, Laws of 1973 and RCW 2.12.020; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050; amending section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540; amending section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010; amending section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030; amending section 38, chapter 80, Laws of 1947 and RCW 41.32.380; amending section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401; amending section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405; amending section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410; amending section 46, chapter 80, Laws of 1947 and RCW 41.32.460; amending section 7, chapter 35, Laws of 1970 ex. sess. as last amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32.4943; amending section 51, chapter 80, Laws of 1947 as last amended by section 17, chapter 150, Laws of 1969 ex. sess. and RCW 41.32-.510; amending section 8, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.567; amending section 15, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.820; amending section 11, chapter 274, Laws of 1947 as last amended by section 4, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.100; amending section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120; amending section 16, chapter 274, Laws of 1947 as last amended by section 10, chapter 249, Laws of 1979 ex. sess. and RCW 41.40.150; amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180; amending section 21, chapter 274, Laws of 1947 as last amended by section 5, chapter 277, Laws of 1955 and RCW 41.40.200; amending section 24, chapter 274, Laws of 1947 as last amended by section 9, chapter 128, Laws of 1969 and RCW 41.40.230; amending section 38, chapter 274, Laws of 1947 as last amended by section 63, chapter 151, Laws of 1979 and RCW 41.40.370; amending section 8, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.670; amending section 14, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.730; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 77, Laws of 1980 and RCW 43.43.120; amending section 43.43.230, chapter 8, Laws of 1965 and RCW 43.43.230; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 116, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.250; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; amending section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270; amending section 43.43.280, chapter 8, Laws of 1965 as last amended by section 5, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.280; amending section 43.43.290, chapter 8, Laws of 1965 and RCW 43.43.290; amending section 43.43.310, chapter 8, Laws of 1965 as last amended by section 8, chapter 205, Laws of 1979 ex. sess. and RCW 43.43.310; adding a new section to chapter 2.12 RCW; adding a new section to chapter 41.50 RCW; creating a new section; repealing section 21, chapter 200, Laws of 1953 and RCW 41.40.125; repealing section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150; repealing section 43.43.265, chapter 8, Laws of 1965 and RCW 43.43.265; repealing section 43.43.266, chapter 8, Laws of 1965 and RCW 43.43.266; and repealing section 5, chapter 12, Laws of 1969 and RCW 43.43.267.

To Committee on Appropriations - General Government

HOUSE BILL NO. 991, by Representatives Van Dyken, Bond, Fiske, Struthers, Taylor, Tupper, Greengo, Wilson, James, Lundquist, Johnson, Padden, Addison, Isaacson, Hastings, Smith, Sanders, Tilly, Hankins, Mitchell, Bickham, Ellis and Clayton:

AN ACT Relating to sales and use taxation; amending section 82.08.100, chapter 15, Laws of 1961 as amended by section 50, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.100; amending section 82.12.070, chapter 15, Laws of 1961 as amended by section 55, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.070; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 992, by Representatives Van Dyken and Becker:

AN ACT Relating to the taxation of travel trailers and campers; amending section 55, chapter 299, Laws of 1971 ex. sess. as last amended by section 1, chapter 123, Laws of 1979 and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. as last amended by section 2, chapter 123, Laws of 1979 and RCW 82.50.410; amending section 61, chapter 299, Laws of 1971 ex. sess. as last amended by section 3, chapter 123, Laws of 1979 and RCW 82.50.460; amending section 67, chapter 299, Laws of 1971 ex. sess. as amended by section 4, chapter 123, Laws of 1979 and RCW 82.50.520; adding new sections to chapter 82.50 RCW; and prescribing penalties.

To Committee on Revenue

HOUSE BILL NO. 993, by Representatives Salatino, Armstrong, Granlund, Winsley, Pruitt, Wang, Heck, Kreidler, Grimm, Rust, Sherman, Bender, Erak, Stratton and Hine:

AN ACT Relating to legislative ethics; amending section 9, chapter 1, Laws of 1973 as last amended by section 2, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.090; amending section 73, chapter 151, Laws of 1979 as last amended by section 20, chapter 311, Laws of 1981 and RCW 42.17.240; adding new sections to chapter 42.17 RCW; and adding a new section to chapter 44.60 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 994, by Representatives Smith, Dickie, Tilly, Lewis, Heck, Flanagan, Bickham, Nickell, Clayton, Chamberlain, Hastings, Johnson, Hankins, Galloway and Barr (by Department of Agriculture request):

AN ACT Relating to plant pests and diseases; amending section 43.06.010, chapter 8, Laws of 1965 as last amended by section 4, chapter 53, Laws of 1979 ex. sess. and RCW 43.06.010; amending section 8, chapter 113, Laws of 1969 and RCW 15.09.080; and adding new sections to chapter 17.24 RCW.

To Committee on Agriculture

HOUSE BILL NO. 995, by Representatives Sanders, Addison, Pruitt, O'Brien, McDonald, Teutsch, Nelson (D), Lux, Johnson, Ellis, Tilly, Lewis, Nickell, Rinehart and Maxie (by Secretary of State request):

AN ACT Relating to participation in state government and organizations by citizens; adding a new chapter to Title 43 RCW; and providing an expiration date.

To Committee on State Government

HOUSE BILL NO. 996, by Representatives Ellis, Ehlers, Eberle, Johnson, Hastings and James:

AN ACT Relating to the compulsory attendance law; and amending section 2, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 59, Laws of 1980 and RCW 28A.27.010.

To Committee on Education

HOUSE BILL NO. 997, by Representatives McDonald, Chandler, Salatino, Johnson, O'Brien, Tupper, Hankins and North:

AN ACT Relating to certain elections; amending section 84.52.056, chapter 15, Laws of 1961 as last amended by section 104, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.056; creating new sections; and setting forth a contingency before such act becomes effective.

To Committee on Appropriations - Education

HOUSE BILL NO. 998, by Representatives Chandler, Salatino, McDonald, Johnson, O'Brien and Hankins:

AN ACT Relating to education; reenacting and amending section 4, chapter 325, Laws of 1977 ex. sess. as last amended by section 1, chapter 168, Laws of 1981 and by section 10, chapter 264, Laws of 1981 and RCW 84.52.0531; creating new sections; and declaring an emergency.

To Committee on Appropriations - Education

HOUSE BILL NO. 999, by Representatives Fiske, Lundquist and McDonald:

AN ACT Relating to library districts; amending section 2, chapter 119, Laws of 1935 as last amended by section 1, chapter 26, Laws of 1981 and RCW 27.12.010; amending section 8, chapter 119, Laws of 1935 as last amended by section 2, chapter 26, Laws of 1981 and RCW 27.12.190; amending section 9, chapter 119, Laws of 1935 as amended by section 8, chapter 65, Laws of 1941 and RCW 27.12.210; amending section 1, chapter 22, Laws of 1947 and RCW 27.12.220; amending section 1, chapter 59, Laws of 1955 as amended by section 3, chapter 42, Laws of 1970 ex. sess. and RCW 27.12.222; amending section 20, chapter 119, Laws of 1935 as last amended by section 5, chapter 122, Laws of 1965 and RCW 27.12.320; amending section 1, chapter 353, Laws of 1977 ex. sess. as amended by section 3, chapter 26, Laws of 1981 and RCW 27.12.360; amending section 2, chapter 353, Laws of 1977 ex. sess. and RCW 27.12.370; amending section 3, chapter 353, Laws of 1977 ex. sess. and RCW 27.12.380; amending section 4, chapter 353, Laws of 1977 ex. sess. and RCW 27.12.390; amending section 1, chapter 93, Laws of 1965 ex. sess. and RCW 27.18.010; amending section 4, chapter 93, Laws of 1965 ex. sess. and RCW 27.18.040; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052; and adding new sections to chapter 27.12 RCW.

To Committee on Local Government

HOUSE BILL NO. 1000, by Committee on Education and Representative Vander Stoep:

AN ACT Relating to a pilot program for a four-day work week in schools; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education

HOUSE JOINT MEMORIAL NO. 20, by Representatives Lundquist, Nickell, Schmidt, Wilson, Berleen, Struthers, Barr, Fiske, Nelson (G), Greengo, James, Rosbach, Chamberlain, Smith, Dickie, Garson, Clayton, Williams, Patrick, Eberle, Addison, Mitchell, Tilly, Johnson, Nisbet, Bond, Flanagan, Amen, Winsley, Isaacson, Sprague, Barnes, Houchen, Vander Stoep, Taylor, Dawson, McDonald, Hastings, Tupper, Chandler, Prince, Padden, Ellis, Teutsch and Hankins:

Requesting the federal government settle and acquire tribal claims and rights to the fish and natural resources located in the state.

To Committee on Natural Resources and Environmental Affairs

HOUSE JOINT RESOLUTION NO. 20, by Representatives McDonald, Chandler, Salatino, Tupper, North, Johnson and O'Brien:

Removing forty percent validation requirement for excess levy elections.

To Committee on Appropriations - Education.

MOTIONS

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

Ms. Valle moved that the motion be amended and that House Bill No. 998 be referred to Committee on Education.

Representatives Valle and Taylor spoke in favor of the motion to amend the Nelson (G) motion, and Mr. Nelson (G) spoke against it.

Ms. Valle spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion to refer House Bill No. 998 to Committee on Education, and the motion was lost by the following vote: Yeas, 46; nays, 47; not voting, 5.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cantu, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart,

Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Valle, Walk, Wang, Wanke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Fancher, Garson, Leonard, Winsley.

The motion by Mr. Nelson (G) was carried.

REPORTS OF STANDING COMMITTEES

January 20, 1982

HOUSE BILL NO. 378, Prime Sponsor: Committee on Labor and Economic Development, revising laws regulating cosmetology. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Clayton, Eberle, Flanagan, Monohon, Smith.

Voting nay: Representatives Brekke, Cole, Garrett, Lux.

Not attending: Representatives Brown, Hankins.

Passed to Committee on Rules for second reading.

January 20, 1982

HOUSE BILL NO. 934, Prime Sponsor: Committee on Financial Institutions and Insurance, revising laws relating to credit unions. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, McGinnis, Monohon, Sanders, Scott.

Voting nay: Representative Eng.

Not attending: Representatives King (R), Nisbet, Rosbach, Salatino.

Passed to Committee on Rules for second reading.

January 20, 1982

HOUSE BILL NO. 935, Prime Sponsor: Committee on Financial Institutions and Insurance, revising fees for bank examinations. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, Eng, McGinnis, Monohon, Sanders.

Not attending: Representatives Bond, King (R), Nisbet, Rosbach, Salatino, Scott.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 907 was rereferred from Committee on Ethics, Law and Justice to Committee on Appropriations - General Government.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 757, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions of the certificate of need program.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 757, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representative Nisbet.

Not voting: Representatives Chandler, Fancher, Garson, Leonard, Winsley.

Engrossed House Bill No. 757, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 289, by Representatives Walk, Garrett, Patrick, Granlund, Nickell, Galloway, Owen, Gallagher, North, Sherman, Sanders, Grimm and Houchen:

Granting civil immunity to officers using police dogs and making it a felony to harm a police dog.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 289, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Fancher, Garson, Leonard, Winsley.

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

ENGROSSED HOUSE JOINT MEMORIAL NO. 14, by Representatives Flanagan, Polk, Scott, Barrett, O'Brien, Sanders, Hankins, Garrett, Thompson, Barr, Warnke, Brown, Smith, King (J), James, Lundquist, Johnson, Lewis, Bickham, Chamberlain, Prince and Clayton:

Requesting mutually beneficial foreign trade agreements.

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

Mr. Flanagan spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 14, and the memorial passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor,

Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Fancher, Garson, Leonard, Sommers, Winsley.

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 626, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Walk and Owen):

Providing civil and criminal penalties for certain acts relating to pornography and moral nuisances.

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

Representatives Ellis and Bond spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Heck.

Mr. Heck: "Representative Ellis, there has been some confusion in the last few days surrounding the exact provisions of 626. One of the question that has been raised is whether or not existing statutes providing for criminal sanction for display of obscene materials is being replaced in this bill by civil action. Which classes of criminal offenses are being repealed, if any, and being replaced by civil proceedings?"

Mr. Ellis: "My understanding is that the present criminal statutes would be repealed (I'm not sure the Senate is going to go completely along with that). This bill, in addition to having the civil possibility, has a criminal provision in it. I think it's Section 7. In addition, Representative Bond has introduced a new criminal statute based on a recent United States Supreme Court opinion upholding a—Texas statute in the criminal area—that's in our committee now, that we will also be hearing on Tuesday. Out of this, we will hope to have a coordinated effort

Mr. Heck: "I wish I had a clearer understanding. It occurs to me that it is not clear what criminal sanctions remain in the law for the display of obscene material and related activity. I have a deep concern that we would be replacing the ability to prosecute and impose criminal sanctions against this kind of activity."

Mr. Ellis: "Representative Heck, this would not remove the ability of local jurisdictions to have their own criminal ordinances and zoning statutes. I understand there is a partial amendment in this bill, and I'm sorry I can't be specific on the type of offense and the penalty, but I will go to counsel and try to get you some specific answers."

MOTION

Mr. Grimm moved that Engrossed Substitute House Bill No. 626 be rereferred to Committee on Ethics, Law and Justice.

Representatives Grimm and Salatino spoke in favor of the motion, and Mr. Nelson (G) spoke against it.

Mr. Grimm spoke again in favor of the motion.

The motion failed.

The Speaker stated the question before the House to be Engrossed Substitute House Bill No. 626 on final passage.

Mr. Wang spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 626, and the bill passed the House by the following vote: Yeas, 68; nays, 22; not voting, 8.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brown, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fiske, Flanagan, Gallagher, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Schmidt, Sherman, Smith, Sommers,

Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Berleen, Brekke, Burns, Cole, Eng, Erak, Galloway, Heck, King J., Kreidler, Maxie, Monohon, Nelson D., Rinehart, Rust, Salatino, Scott, Thompson, Valle, Wang.

Not voting: Representatives Chandler, Fancher, Garson, King R., Leonard, Sanders, Stratton, Winsley.

Engrossed Substitute House Bill No. 626, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Monday, January 25, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 25, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

MESSAGE FROM THE SENATE

January 22, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3156,
 SENATE BILL NO. 3240,
 REENGROSSED SENATE BILL NO. 3565,
 SUBSTITUTE SENATE BILL NO. 3965,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1001, by Representatives Greengo, O'Brien and Barrett (by Governor Spellman request):

AN ACT Relating to public improvements financing; adding a new chapter to Title 39 RCW; and adding a new section to chapter 84.55 RCW.

To Committee on Revenue

HOUSE BILL NO. 1002, by Representatives McCormick, Wilson, Martinis and Erak:

AN ACT Relating to excise taxes; and amending section 1, chapter 335, Laws of 1977 ex. sess. as last amended by section 1, chapter 129, Laws of 1981 and RCW 82.38.075.

To Committee on Transportation

HOUSE BILL NO. 1003, by Representatives Vander Stoep, Tilly, Williams, Thompson, Heck, King (J), Patrick, Winsley, Johnson, Rust, Becker, Rinehart, Brekke, Granlund, Tupper, Nelson (D), Chamberlain, Galloway, Scott, Chandler, Dawson, Berleen, Lewis, Amen and Wang (by Secretary of State request):

AN ACT Relating to voting by mail; amending section 6, chapter 109, Laws of 1967 ex. sess. as amended by section 2, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.120; amending section 7, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.130; amending section 29.45.010, chapter 9, Laws of 1965 as amended by section 1, chapter 101, Laws of 1965 ex. sess. and RCW 29.45.010; repealing section 8, chapter 109, Laws of 1967 ex. sess., section 3, chapter 35, Laws of 1974 ex. sess. and RCW 29.36.140; and declaring an emergency.

To Committee on State Government

HOUSE BILL NO. 1004, by Committee on Revenue and Representatives Hastings and Struthers:

AN ACT Relating to business and occupation taxation; and amending and reenacting section 82.04.260, chapter 15, Laws of 1961 as last amended by section 3, chapter 172, Laws of 1981 and by section 1, chapter 178, Laws of 1981 and RCW 82.04.260.

To Committee on Revenue

HOUSE BILL NO. 1005, by Committee on Labor and Economic Development and Representatives Schmidt, Hankins, Patrick and Barrett:

AN ACT Relating to alcoholic beverages; and amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.010.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1006, by Committee on Local Government and Representatives Sanders, King (R), Barrett, Owen, Chamberlain, Scott, Leonard, Kreidler, Isaacson, Monohon, Berleen, James, Lewis and Eberle:

AN ACT Relating to property rights; adding a new chapter to Title 64 RCW; and declaring an emergency.
To Committee on Local Government

HOUSE BILL NO. 1007, by Committee on Local Government and Representatives Isaacson, Barrett, Sanders, Scott, Leonard, Berleen, Owen, Lundquist, Monohon, Chamberlain and James:

AN ACT Relating to local government planning agencies; amending section 36.70.590, chapter 4, Laws of 1963 and RCW 36.70.590; adding a new section to chapter 35.63 RCW; and adding a new section to chapter 35A.63 RCW.

To Committee on Local Government

HOUSE BILL NO. 1008, by Committee on Ethics, Law and Justice and Representatives Patrick, Nickell, Garrett, Brown, Salatino, Addison and Williams:

AN ACT Relating to peace officers; and adding a new section to chapter 4.24 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1009, by Committee on Labor and Economic Development and Representatives Barnes, Fiske, Lundquist, Sprague, Hastings, Tilly, Sanders, McCormick and Johnson:

AN ACT Relating to unemployment compensation; and adding a new section to chapter 50.04 RCW.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1010, by Committee on Agriculture and Representatives Smith and Van Dyken:

AN ACT Relating to restrictions on the uses of water and waterways; and amending section 75.20.100, chapter 12, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1975 1st ex. sess. and RCW 75.20.100.

To Committee on Agriculture

HOUSE BILL NO. 1011, by Committee on Local Government and Representatives Isaacson and Martinis:

AN ACT Relating to petitioning local government officials; and adding a new chapter to Title 42 RCW.

To Committee on Local Government

HOUSE BILL NO. 1012, by Committee on Appropriations - General Government and Representative Williams:

AN ACT Relating to surveys and maps; amending section 2, chapter 224, Laws of 1951 and RCW 58.24-.010; amending section 3, chapter 224, Laws of 1951 as amended by section 152, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 58.24.020; amending section 4, chapter 224, Laws of 1951 and RCW 58.24.030; amending section 6, chapter 224, Laws of 1951 as amended by section 25, chapter 271, Laws of 1969 ex. sess. and RCW 58.24.040; amending section 5, chapter 224, Laws of 1951 and RCW 58.24.050; and adding new sections to chapter 224, Laws of 1951 and to chapter 58.24 RCW.

To Committee on Appropriations - General Government

HOUSE BILL NO. 1013, by Committee on Labor and Economic Development and Representatives Nelson (G), Sanders, King (J), Patrick, Cole, Barr, Lux and Johnson:

AN ACT Relating to the establishment of a small business innovators' opportunity program; adding a new chapter to Title 43 RCW; making an appropriation; and providing an expiration date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1014, by Representatives Eberle, King (R), Hastings, Owen, Nelson (G), Stratton and Sanders:

AN ACT Relating to revenue and taxation; amending section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020; and providing an effective date.

HOUSE BILL NO. 1015, by Representatives Greengo, Sommers, Chandler, O'Brien, Struthers, Warnke, Tilly, Thompson, Williams, Armstrong, Ellis, Sanders, Maxie, Cantu, Teutsch and Johnson:

AN ACT Relating to public facilities; adding a new chapter to Title 67 RCW; making an appropriation; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 1016, by Representatives Kreidler, Kaiser and Williams:

AN ACT Relating to the budget and accounting act; and amending section 3, chapter 320, Laws of 1977 ex. sess. and RCW 43.88.300.

To Committee on Ways and Means

HOUSE BILL NO. 1017, by Representatives Barrett, Granlund, Bickham, King (J), Schmidt, Kreidler, Sanders, Brekke, Johnson, Kaiser, Houchen, Cole, Prince, Lux, Owen, Stratton, Smith, Chamberlain, Ehlers, Heck, McGinnis and Struthers:

AN ACT Relating to camping clubs; adding new sections to chapter 19.105 RCW; repealing section 1, chapter 106, Laws of 1972 ex. sess., section 84, chapter 158, Laws of 1979 and RCW 19.105.010; repealing section 2, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.020; repealing section 3, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.030; repealing section 4, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.040; repealing section 9, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.045; repealing section 5, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.050; repealing section 6, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.060; repealing section 7, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.070; repealing section 8, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.080; repealing section 9, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.090; repealing section 10, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.100; repealing section 11, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.110; repealing section 12, chapter 106, Laws of 1972 ex. sess., section 1, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.120; repealing section 13, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.130; repealing section 14, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.140; repealing section 15, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.150; repealing section 16, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.160; repealing section 17, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.170; repealing section 18, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.180; repealing section 19, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.190; repealing section 1, chapter 79, Laws of 1973 1st ex. sess. and RCW 19.105.200; repealing section 2, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.210; repealing section 3, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.220; repealing section 4, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.230; repealing section 5, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.240; repealing section 6, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.250; repealing section 7, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.260; repealing section 8, chapter 150, Laws of 1975 1st ex. sess. and RCW 19.105.270; repealing section 20, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.900; prescribing penalties; making an appropriation; and providing an effective date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1018, by Representatives Fiske, Valle, Hastings and Taylor:

AN ACT Relating to the budget and accounting act; amending section 7, chapter 270, Laws of 1981 and RCW 43.88.112; and amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified).

To Committee on Ways and Means

HOUSE BILL NO. 1019, by Representatives Patrick, Scott, Tupper, Bender, Williams, Armstrong, Ellis, Salatino, Walk, Chamberlain, Leonard, Winsley, Galloway and Johnson:

AN ACT Relating to firefighters; and adding a new section to chapter 48.48 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1020, by Representatives Salatino, Brown, Gallagher, Johnson, Winsley, Granlund and Wang:

AN ACT Relating to the state funding of school plant facilities; and amending section 4, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 98, Laws of 1975 1st ex. sess. and RCW 28A-.47.803.

To Committee on Education

HOUSE JOINT RESOLUTION NO. 21, by Representatives Barrett, King (J) and Isaacson (by Governor Spellman request):

Providing the means for the payment of indebtedness on public improvements.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 22, by Representatives Nelson (D), Rinehart, Lux, Becker, Pruitt and Kaiser:

Limiting state indebtedness.

To Committee on Ways and Means

ENGROSSED SENATE BILL NO. 3156, by Senators Williams, Fuller, Charnley, Goltz and Zimmerman:

Considering renewable energy systems in the design of public buildings.

To Committee on Energy and Utilities

SENATE BILL NO. 3240, by Senators McDermott and Gaspard:

Modifying certain laws relating to course instruction in the common schools.

To Committee on Education

REENGROSSED SENATE BILL NO. 3565, by Senators Quigg, Fleming and Peterson:

Modifying requirements for harbor area leases.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE BILL NO. 3965, by Committee on Natural Resources (originally sponsored by Senators Gallagher and Haley):

Providing funding for fish hatchery expenditures of the department of fisheries.

To Committee on Natural Resources and Environmental Affairs

MOTION

On motion of Mr. Nelson (G), the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 22, 1982

HOUSE BILL NO. 826, Prime Sponsor: Representative Ellis, establishing the Washington Law Revision Commission, reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Bickham, Patrick, Schmidt, Tilly, Tupper, Wang.

Voting nay: Representatives Becker, Granlund, Pruitt.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Rereferred to Committee on Appropriations - General Government.

January 22, 1982

HOUSE BILL NO. 844, Prime Sponsor: Representative Ellis, authorizing public agencies to contract with collection agencies. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do Pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

January 22, 1982

HOUSE BILL NO. 864, Prime Sponsor: Committee on Ethics, Law and Justice, establishing a task force on court congestion. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do Pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

January 22, 1982

HOUSE BILL NO. 897, Prime Sponsor: Representative Armstrong, providing for jurisdiction in arbitration cases. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not signing report: Representative Becker.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

January 22, 1982

HOUSE BILL NO. 916, Prime Sponsor: Committee on Ethics, Law and Justice, modifying the interest rate on judgments. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

January 21, 1982

HOUSE BILL NO. 923, Prime Sponsor: Representative Addison, creating a state center for voluntary action. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Erak, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representatives Garson, Vice Chairman; Greengo.

Referred to Committee on Appropriations - General Government.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, January 26, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SIXTEENTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, January 26, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Leonard and Martinis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Talana Brown and Kara Ruttan. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

January 25, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3249,
ENGROSSED SENATE BILL NO. 3609,
ENGROSSED SENATE BILL NO. 3898,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 33.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1021, by Representatives Smith, Tilly, Barr, Clayton, Dickie, Amen and Padden:

AN ACT Relating to certain state land acquired from the Milwaukee Railroad; creating new sections; and adding a new section to chapter 79.08 RCW.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1022, by Representatives Schmidt, Barrett, Wilson, Leonard, Sprague, Dickie, Hankins, James, Bond, Hastings, Fiske, Padden, Isaacson and McGinnis:

AN ACT Relating to state employment; adding a new chapter to Title 43 RCW; adding new sections to chapter 43.88 RCW; and providing for submission of this act to a vote of the people.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 3249, by Committee on Constitutions and Elections (originally sponsored by Senators Woody, Hayner and Bottiger):

Revising the Public Disclosure Law.

To Committee on State Government

ENGROSSED SENATE BILL NO. 3609, by Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes:

Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment.

To Committee on Education

ENGROSSED SENATE BILL NO. 3898, by Senators Rasmussen and Jones (by Utilities and Transportation Commission request):

Changing the name of the utilities and transportation commission to the public service commission.

To Committee on Transportation

MOTIONS

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

Mr. Nelson (G) moved that HOUSE BILL NO. 1014 be referred to Select Committee on Deregulation and Productivity.

Mr. Heck moved that the motion by Representative Nelson (G) be amended and House Bill No. 1014 be referred to Committee on Local Government.

Representatives Heck, Hine and Ehlers spoke in favor of the motion to amend Mr. Nelson (G)'s motion, and Representatives Nelson (G) and Hastings spoke against it.

The motion was lost.

The motion by Representative Nelson (G) was carried.

REPORTS OF STANDING COMMITTEES

January 22, 1982

HOUSE BILL NO. 751, Prime Sponsor: Committee on Ethics, Law and Justice, increasing the maximum salaries for part-time justices of the peace. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Bickham, Patrick, Schmidt, Tupper, Wang.

Voting nay: Representatives Pruitt and Tilly.

Not signing report: Representatives Becker, Granlund.

Not attending: Representatives Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

January 21, 1982

HOUSE BILL NO. 820, Prime Sponsor: Representative Mitchell, defining crimes concerning imitation controlled substances. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang, Winsley.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 784, by Committee on Appropriations - Education (originally sponsored by Committee on Appropriations - Education and Representative McDonald - by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

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

Representatives McDonald and Nelson (G) spoke in favor of passage of the bill, and Representatives Burns, Eng, King (R) and Teutsch spoke against it.

POINT OF INQUIRY

Mr. McDonald yielded to question by Mr. Heck.

Mr. Heck: "Representative McDonald, in light of the fact that the operating fee surcharge was added to this bill on the floor of the House during our last session, and in light of the fact that at that time when that amendment was objected to on the basis that it had failed to ever receive a public hearing, why has the Appropriations - Education Committee not conducted a public hearing on this major change in the tuition policy of this state, especially considering your remarks at that time that were it possible you would assure this body of a full, complete, open public hearing on such a major change in tuition policy? Why have we had no hearing?"

Mr. McDonald: "Representative Heck, I would like to bring your attention to the fact that there were several hearings when the surcharge was brought out as an option, along with some other options, for the consideration of House Bill 784. It was not part of the original bill, but then I don't think the process precludes us from making amendments on the floor. It was brought up in the committee in several hearings, one in October, that I can remember distinctly."

Representatives Rust, Nelson (D), Erak, Rinehart, Pruitt, Grimm and Warnke spoke against passage of the bill, and Mr. James spoke in favor of it.

Mr. McDonald closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 784, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Fancher, Leonard, Martinis.

Engrossed Substitute House Bill No. 784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 784 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 745, by Committee on Ethics, Law and Justice and Representatives Ellis and Johnson:

Penalizing threats against the governor and successors to the office of governor.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass as amended. (For amendments, see Journal, 1981 Regular Session, page 948.)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Ellis, just for the record, I want to make sure the State patrol is bound by the same rules that any other police agencies are, in terms of wiretapping or any other investigative tool. They have to get the same permission, do they, from the courts that any other law enforcement agency does?"

Mr. Ellis: "Yes, Representative Nelson. There is a bill pending in the Senate to amend the wiretapping statute, but it hasn't passed yet. They would be subject to the same rules."

Mr. Nelson (D): "There is no exception under the law currently that would give the State Patrol more authority than any other law enforcement agency?"

Mr. Ellis: "Not to my knowledge, and certainly this bill doesn't give them any additional authority in that area."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 745, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Krcidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Leonard, Martinis.

Engrossed House Bill No. 745, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 11, by Committee on State Government (originally sponsored by Representatives Flanagan, Greengo, Smith and Teutsch):

Requiring information on bond measures to be disclosed in the voters' pamphlet.

The bill was read the second time.

Mr. Addison moved adoption of the following amendment by Representative Flanagan:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 29.81.020, chapter 9, Laws of 1965 as amended by section 2, chapter 143, Laws of 1973 1st ex. sess. and RCW 29.81.020 are each amended to read as follows:

(1) The attorney general shall prepare the explanatory statements required to be presented on the top portion of the two facing pages relating to each measure. Such statements shall be prepared in clear and concise language and shall avoid the use of legal and other technical terms insofar as possible. If the measure authorizes the issuance of state general obligation bonds, the explanatory statement shall include:

(a) A statement that the state must pledge its full faith and credit toward the payment of the general obligation bonds and that the debt service payments must be made from state taxes and revenues, which may result in an increase in taxes or a reduction in existing programs. However, if the debt service payments are not required to be made from state taxes and revenues, it shall be so stated; and

(b) An estimate of the dollar amount of debt service on the bonds per year, and an estimate of the total principal and interest payments required for the full term of the bonds. These estimates shall be based on current interest rate estimates and shall be prepared by the state finance committee.

The information required in (a) and (b) of this subsection shall be printed in boldface type and enclosed within a printed border.

Any person dissatisfied with the explanatory statement so prepared may at any time within ten days from the filing thereof in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the measure, the explanatory statement prepared by the attorney general, and his objection thereto and praying for the amendment thereof. A copy of the petition and a notice of such appeal shall be served on the secretary of state and the attorney general. The court shall, upon filing of the petition, examine the measure, the explanatory statement, and the objections thereto and may hear argument thereon and shall, as soon as possible, render its decision and certify to and file with the secretary of state such explanatory statement as it determines will meet the requirements of this chapter. The decision of the superior court shall be final and its explanatory statement shall be the established explanatory statement. Such appeal shall be heard without costs to either party.

(2) Arguments and rebuttal statements advocating the voters' approval or rejection of any measure shall be prepared and submitted for printing by the committees created pursuant to RCW 29.81.030, 29.81.040 and 29.81.050. Such arguments and rebuttal statements shall be the arguments and rebuttal statements and no other arguments or rebuttal statements shall appear in the pamphlet as to such measure. Arguments may contain graphs and charts, supported by factual statistical data and pictures or other illustrations, but cartoons or caricatures shall not be permitted."

Mr. Addison spoke in favor of the amendment.

POINT OF ORDER

Mr. O'Brien: "Is the language contained in this amendment to Engrossed Substitute House Bill No. 11, the same language that was contained in the original bill? Is that bill still pending before the House?"

The Speaker: "Are you asking if this is the language contained in the original House Bill 11?"

Mr. O'Brien: "I believe this is the language of a bill Representative Flanagan introduced previously."

The Speaker: "Representative O'Brien, I am unaware of any bill pending before the House that is the same as the language of this amendment."

The amendment was adopted.

The bill was ordered reengrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 11, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis.

Reengrossed Substitute House Bill No. 11, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

HOUSE BILL NO. 330, by Representatives Kreidler, Sanders, Dawson, Bond, Houchen and Sprague:

Requiring notification to the secretary of transportation about plats of subdivisions near public airports.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 330, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis.

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

ENGROSSED HOUSE BILL NO. 114, by Committee on Transportation and Representatives Wilson and McCormick:

Excusing railroads and their employees from liability for injury to trespassers on bridges, trestles, and tracks.

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

Representative Wilson spoke in favor of passage of the bill, and Representatives Armstrong, Patrick, Garrett, Lux and Padden spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 114, and the bill failed to pass the House by the following vote: Yeas, 37; nays, 55; not voting, 6.

Voting yea: Representatives Amen, Barr, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Tilly, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barnes, Becker, Bender, Brekke, Brown, Burns, Cole, Dawson, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis, Thompson.

Engrossed House Bill No. 114, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 762, by Committee on State Government (originally sponsored by Committee on State Government and Representatives Addison and Berleen):

Reorganizing commissions, boards, and councils.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 762, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bickham, Dickie, Gallagher, Lewis, Maxie, Owen.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis.

Engrossed Substitute House Bill No. 762, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 768, by Committee on Institutions and Representative Houchen:

Modifying provisions relating to the department of corrections.

The bill was read the third, time.

MOTION

On motion of Mr. Nelson (G), the rules were suspended and the bill was returned to second reading for the purpose of amendment.

Ms. Houchen moved adoption of the following amendment by Representatives Houchen and Owen:

On page 3, after line 22 insert a section as follows:

***NEW SECTION.** Sec. 3. There is added to chapter 10.64 RCW a new section to read as follows:

(1) Every judge of a court of limited jurisdiction shall have the authority to levy upon each misdemeanant a monthly assessment not to exceed fifty dollars for services provided whenever such a person is referred by the court to the misdemeanant probation department for evaluation or supervision services. The assessment may also be made by a sentencing judge in superior court when such misdemeanor or gross misdemeanor cases are heard in the superior court.

(2) It shall be the responsibility of the misdemeanant probation services office to implement local procedures approved by the court of limited jurisdiction to ensure collection and payment of such fees into the general fund of the city or county treasury.

(3) Revenues raised under this section shall be used to fund programs for misdemeanant probation services and shall be in addition to those funds provided in RCW 3.62.050.*

Representatives Houchen and Owen spoke in favor of the amendment, and Representatives Patrick and Padden spoke against it.

The amendment was adopted.

On motion of Ms. Houchen, the following amendments to the title were adopted:

On page 1, line 2 after "72.04 RCW;" strike "and"

On page 1, line 3 after "RCW" and before the period insert "; adding a new section to chapter 10.64 RCW; and prescribing penalties"

The bill was ordered reengrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Houchen and Owen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 768, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Cole, Padden, Rinehart, Thompson.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis.

Reengrossed House Bill No. 768, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-105, by Representatives Schmidt, Martinis, Chamberlain, Brown, Mitchell, Taylor, Leonard, Johnson, Salatino, Gallagher, Wilson, Hankins, Dawson, Nelson (G), Lundquist, Barrett, James, Wang, Nisbet, Struthers, Sprague and McCormick:

WHEREAS, The state of Washington serves its country by providing a location for several important federal military and Indian reservations; and

WHEREAS, The common schools of Washington seek to provide the highest quality of education for all enrolled students, including students of families associated with federal reservations; and

WHEREAS, The presence of a federal reservation within a common school district places an inordinate burden on the district's property taxpayers by reducing the district's property tax base; and

WHEREAS, The federal government has heretofore recognized its responsibility toward such districts by providing P.L. 874 impact aid to partially compensate the districts for lost property tax revenue; and

WHEREAS, Relatively large amounts of the property of certain common school districts in the state of Washington are occupied by federal reservations, leaving such districts especially dependent on P.L. 874 impact aid; and

WHEREAS, The danger currently exists for a significant reduction in P.L. 874 impact aid funding;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the federal government be urged to maintain P.L. 874 impact aid at current levels or to provide other means to fairly compensate common school districts in the state of Washington for the reduced property tax revenue caused by the placement of federal reservations within those districts; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send copies of this resolution to the Secretary of Defense of the United States, the Assistant Secretary of the Interior for Indian Affairs, the chairmen of the Congressional appropriations and defense committees, and each member of Congress from the state of Washington.

Ms. Schmidt moved adoption of the resolution. Representatives Schmidt, Taylor, Grimm and Lux spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 104, by Representatives Wilson, Schmidt, Owen, Fiske, James, Granlund, Lundquist, Nisbet, Eberle and Houchen:

WHEREAS, The state ferry system provides a vital transportation link for Washingtonians living throughout the Puget Sound basin, and is critical to the economy of the state; and

WHEREAS, Annual ferry fare increases of thirteen percent in 1979, twenty-five percent in 1980 and thirteen percent in 1981, imposed to balance the budget for continued ferry operations, have placed an increasingly burdensome financial strain on those depending on the ferry system; and

WHEREAS, Experience in public transportation systems throughout the country has proven that as fares are increased in reaction to decreasing ridership, ridership decreases further, posing the threat of a destructive fare spiral which can ultimately destroy public transportation systems; and

WHEREAS, The Governor's Special Commission on Ferries has identified the need to achieve greater efficiency in ferry operations, and has urged the creation of a ferry system productivity council to promote this goal; and

WHEREAS, The Special Commission on Ferries has further recommended that annual fare increases should not exceed the Seattle Consumer Price Index in order to maintain affordable transportation for ferry users; and

WHEREAS, In its initial position paper on 1982 ferry fare increases prepared for review by the ferry advisory committees, the Department of Transportation stated that the ferry system has been operating below budget in fuel and payroll costs and that an eleven percent fare increase would generate sufficient revenues to stay within budgetary allocations through the end of the current biennium; and

WHEREAS, It is essential that all functions of government operate as effectively and efficiently as possible and all efforts be made to restrict inflationary increases in charges to consumers of government services;

NOW, THEREFORE BE IT RESOLVED, That the House of Representatives urge the Transportation Commission, the Department of Transportation and the Washington State Ferry System to institute cost-saving measures to improve ferry system efficiency and lower costs, and to take such other actions as will eliminate the need for ferry fare increases which exceed the consumer price index; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Transportation Commission, the Department of Transportation and the Washington State Ferry System.

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

MOTION

On motion of Mr. Nelson (G), REENGROSSED SUBSTITUTE HOUSE BILL NO. 723 was rereferred to Committee on Local Government.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Fancher, Flanagan, Leonard and Martinis, who were excused.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 35 was rereferred from Committee on Transportation to Committee on Local Government.

On motion of Mr. Nelson (G), HOUSE BILL NO. 483 was rereferred from second reading to Committee on Rules.

On motion of Mr. Nelson (G), the House reverted to the third order of business.

MESSAGE FROM THE GOVERNOR

December 21, 1981

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to several provisions, ESHB 811, entitled: "AN ACT Relating to reductions in appropriations."

The provisions I have vetoed and the reasons therefore are as follows:

1. On page 4, I have vetoed Section 1. This section would interject the legislature, through the Legislative Budget Committee, into the administration of state government. Further, were the section to become law, it would duplicate the purpose of Section 33, Chapter 143, Laws of 1981, and of Executive Order 81-20, which require the Department of General Administration to review and approve expenditures for state remodeling and renovation plans. A further review and approval by the LBC would be wasteful and unnecessary.
 2. On page 5, I have vetoed Section 2, which forbids the use of funds for agency deputy director positions not existing in law prior to January 1, 1981. This is a blanket prohibition which excepts only the Department of Corrections and the Department of Social and Health Services. While I appreciate the spirit of economy that is conveyed by this section, these restrictions during a time of state agency reorganization could be counter-productive. Such efforts toward economies are better accomplished on a case-by-case basis by this office.
 3. On page 10, Section 15, lines 34 and 35, and on page 11, lines 1 through 5, I have vetoed the proviso that reads: "Provided, that no raise effective February 1, 1983, shall increase any annual salary above \$35,000 in which case the recipient shall receive only that portion of the raise which would increase the salary to no more than \$35,000: Provided Further, that no employee making \$35,000 or more per year on February 1, 1983, shall be eligible for the raise effective on that date:"
- On page 76, Section 76, I have vetoed subsection (11), which states: "Notwithstanding any other provision of law, no employee whose salary exceeds thirty-five thousand dollars per year may receive further increase from these funds, nor shall any employee whose salary is less than thirty-five thousand dollars exceed that figure as a result of further increase from these funds. Any savings created by such action shall be expended only for nonemployee related items."
- While a salary lid for government employees may have appeal, it would soon seriously hamper the state's ability to attract and keep competent managers, supervisors, and other professionals. If the federal experience is any indication, we could expect increasing numbers of government managers to depart for business and consulting work, government lawyers for private firms, and doctors and dentists at our mental and other custodial institutions for private practice. Some of our best professionals in education would also be discouraged from public service. Especially in times of limited resources, the state cannot afford such a drain of talent. This could begin a state slide toward mediocrity. In addition, it is unfair to select one group of state employees for discriminatory treatment in the area of pay raises. The same rules should apply to all state employees.
4. On page 17, I have vetoed Section 23. In a time of increased, and usually unavoidable, litigation, the Attorney General must be able to meet agency demands for legal services. This veto action restores the Office of the Attorney General to the appropriation level originally provided by the Legislature for the 1981-83 Biennium. The Attorney General has agreed,

however, to reduce his expenditures under this appropriation by 5 percent. I have forwarded to you a copy of a letter to me from the Attorney General amplifying the grounds for this veto and stating his commitment.

5. On page 18, Section 24, I have vetoed subsection (6). I have also vetoed the following provisions relating to the same subject: On page 82, Section 83, lines 24 through 26; on page 83, Section 84, lines 5 through 7 beginning with "In making reductions..."; on page 83, Section 85, lines 21 through 26; on page 84, Section 86, lines 2 through 5; on page 84, Section 87, lines 15 through 18; on page 84, Section 88, lines 24 through 27; on page 85, Section 89, lines 4 through 7; and on page 85, Section 90, lines 22 through 24.

These provisions require a reduction in state General Fund-supported travel expenses of 30 percent for all state agencies except the community colleges, which are to be reduced 8 percent. A blanket reduction of both in-state and out-of-state travel is sure to impair the vital functions of several agencies. For example, the members of the Board of Prison Terms and Paroles must constantly travel to our state institutions in order to hold parole hearings. The Department of Revenue estimates a loss of \$21 million in state revenues if its auditors, who must travel to businesses in order to perform tax audits, were to reduce their travel in compliance with this provision. In an effort to keep noncritical travel to a minimum, I have issued a directive to all state agencies reminding them of existing travel regulations, requiring further curtailment of travel, and directing that all travel out-of-state be personally approved by agency directors.

6. On page 20, Section 28, I have vetoed the sentence in subsection (5) beginning on line 26 and continuing through line 29 that specifies the number of FTE staff years that the Department of Revenue may use in its expanded revenue recovery efforts. I believe the legislature intended to limit additional new staff to 50 FTE's. But the language would actually limit the department to 32.75 total staff years in fiscal year 1983 for this critical activity. I have thus vetoed what I believe is a technical mistake. Consistent with legislative intent, however, the department will expend these funds solely for this purpose, and no more than 50 new audit staff will be hired.
7. On page 29, Section 41, subsection (2), I have vetoed the sentence beginning on line 17 that reads: "Allotment modifications shall be submitted to the Legislative Budget Committee for approval prior to implementation." This language requires Legislative Budget Committee consent to all allotment amendments related to the Department of Social and Health Services. Such a procedure not only is cumbersome but also preempts the Governor's statutory responsibility for allotment approval, and interjects the legislature into the executive operations of state government.
8. On page 31, Section 42, I have vetoed part (ix) of subsection 2(b), which reads as follows: "Tobacco products shall not be provided to inmates who have not earned such products." Providing loose tobacco (not cigarettes) to inmates has proved useful in managing our crowded correctional institutions. At this time, a sudden abandonment of this custom could prove dangerous to the morale and tranquility of those institutions.
9. On pages 57 through 61, I have vetoed Section 65. This section contains a proviso which purports to prohibit state moneys from being spent on Metro's proposed wastewater outfall at Seahurst. While I recognize the controversy surrounding Metro's proposed project, that controversy cannot properly be resolved by a budget bill proviso which was adopted without a public hearing. The use of state moneys for the proposed project is subject to the comprehensive hearing-and-approval process passed by the voters just over a year ago in Referendum 39, now codified as Chapter 43.99F RCW. That process, including full hearings on the matter by the legislature, should run its course before any final determination regarding the use of state moneys is made.

As a consequence of this veto, the appropriation level for the Department of Ecology is maintained at the level established in the 1981 Regular Session. I am, however, directing the Department of Ecology to implement budget and FTE levels consistent with the budget cuts that this section would have imposed.

10. On page 65, Section 71, I have vetoed the words "A maximum of..." on line 5 of subsection (2) that directs that: "A maximum of \$1,997,000 shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps."

The legislative intent of subsection (2) was to reduce the State General Fund appropriation to the honor camp programs by 10 percent. Because of a technical drafting error, the amendment does not include the words "General Fund-State appropriation." This oversight limits the spending authority of the Department of Natural Resources to approximately 50 percent of the current expenditure level, because approximately 50 percent of this program is funded by nonstate general fund sources. At that level the honor camps could not survive. Therefore, a veto of the phrase indicated will permit the level of funding necessary to support the honor camps for the remainder of the biennium.

11. On page 78, Section 80, subsection (3), I have vetoed the phrase on lines 33 and 34 "under section 100 of this act." The appropriate reference should be to Section 82 of the Act, which amends Section 100 of the original appropriations bill, Senate Bill 3636, Chapter 340, Laws of 1981 (uncodified).

With the exceptions of the aforementioned sections, which I have vetoed, ESHB 811 is approved.

Respectfully submitted,
JOHN SPELLMAN, GOVERNOR.

MOTION FOR VETO OVERRIDE

Ms. Berleen moved that the House do pass Section 65 of Engrossed Substitute House Bill No. 811, notwithstanding the veto of the Governor.

POINT OF PARLIAMENTARY INQUIRY

Mr. Brown: "Mr. Speaker, it has traditionally been parliamentary procedure that the perfection of amendments on bills be taken in order. Would it not be appropriate parliamentary procedure to take the veto overrides in order on House Bill 811?"

The Speaker: "Representative Brown, I know of no such parliamentary procedure. Any of the parts of the veto message may be moved to be overridden by the first person recognized by the Chair."

Representatives Berleen, Pruitt, Addison, Valle and Granlund spoke in favor of the motion, and Representatives Teutsch, Sommers and North spoke against it.

Mr. Nelson (G), demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House do pass Section 65 of Engrossed Substitute House Bill No. 811 notwithstanding the veto of the Governor, and the motion failed to pass the house by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Addison, Barnes, Becker, Bender, Berleen, Bond, Brown, Burns, Chamberlain, Dawson, Dickie, Eberle, Ehlers, Gallagher, Granlund, Grimm, Heck, Hine, James, Johnson, Kaiser, King J., King R., Kreidler, McCormick, McGinnis, Monohon, Nelson D., Padden, Pruitt, Rinehart, Salatino, Valle, Vander Stoep, Walk, Wang, Williams, Winsley.

Voting nay: Representatives Amen, Armstrong, Barr, Bickham, Brekke, Cantu, Chandler, Clayton, Cole, Ellis, Eng, Erak, Fiske, Galloway, Garrett, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Lewis, Lundquist, Lux, Maxie, McDonald, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

POINT OF PERSONAL PRIVILEGE

Ms. Hine: "The vote we have just taken concerns me a bit that some of us who are representing people did not have a chance to express ourselves. I understand the need to expedite this business, but I would like to point out that this is the only arena in which we have representation from that district. The Metro Council has thirty-nine people and only two are represented from the district, and of course, Kitsap and Pierce have none. While this first round, Mr. Speaker and members of the assembly, seems to have gone to Goliath, I assure you that we Davids will rearm and return."

MOTION FOR VETO OVERRIDE

Ms. Sherman moved that the House do pass section 2 of Engrossed Substitute House Bill No. 811 notwithstanding the veto of the governor.

Ms. Sherman spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do pass section 2 of Engrossed Substitute House Bill No. 811 notwithstanding the veto of the governor, and the motion was lost by the following vote: Yeas, 43; nays, 48; not voting, 7.

Voting yea: Representatives Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fiske, Garrett, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barrett, Dawson, Fancher, Flanagan, Leonard, Martinis, McGinnis.

MOTION FOR VETO OVERRIDE

Ms. Rust moved that the House do pass part (ix), Section 2(b) of Section 42 of Engrossed Substitute House Bill No. 811 notwithstanding the veto of the governor.

Representatives Rust and Granlund spoke in favor of the motion, and Representatives Patrick and Struthers spoke against it.

POINT OF INQUIRY

Ms. Houchen yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Houchen, the section that was vetoed talks about earning tobacco. My understanding is that it is still not possible for all inmates in our penal institutions to work in a way that they might earn money or tobacco as in kind salary. Is that your understanding, that there are still a lot of people who do not have the opportunity to earn this tobacco, so it would be a disadvantage to those people who would not have jobs?"

Ms. Houchen: "Yes, Representative Nelson, that is true. There are some people who are confined to their cells and are not allowed out to work. That would be one example."

Representatives Nelson (D) and Nickell spoke against the motion, and Representatives Lux and Kaiser spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House do pass subsection (ix) of section 2(b) of section 42 of Engrossed Substitute House Bill No. 811 notwithstanding the veto of the Governor, and the motion was lost by the following vote: Yeas, 48; nays, 45; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Becker, Bender, Berleen, Brown, Burns, Cantu, Chamberlain, Ehlers, Ellis, Eng, Erak, Galloway, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Lundquist, Lux, Maxie, McGinnis, Mitchell, Monohon, Owen, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Valle, Van Dyken, Walk, Wang, Wilson, Winsley.

Voting nay: Representatives Barnes, Bickham, Bond, Brekke, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Fiske, Gallagher, Garson, Hankins, Hastings, Isaacson, James, Johnson, Kreidler, Lewis, McCormick, McDonald, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Smith, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

Engrossed Substitute House Bill No. 811 was passed to Committee on Rules.

MESSAGES FROM THE SENATE

January 26, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 33,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 26, 1982

Mr. Speaker:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 33, the President has appointed: Senators Sellar, Newhouse, Vognilid.

Sidney R. Snyder, Secretary.

APPOINTMENT OF SELECT COMMITTEE

Under the provisions of House Concurrent Resolution No. 33, the Speaker appointed Representatives Fiske, Wilson and Thompson as members of the Joint Select Committee on Telephone Systems.

MESSAGE FROM THE GOVERNOR

May 19, 1981

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval, HOUSE BILL NO. 537, entitled:
"AN ACT Relating to occupational drivers licenses."

The Implied Consent Law, passed by the voters of this state in 1969, provides that a person's privilege to drive is conditioned on a promise to take a breathalyzer test when suspected of driving under the influence of alcohol. Failure to take the test results in a six-month loss of license.

House Bill No. 537 would undermine the Implied Consent Law. It would permit persons who refuse the breathalyzer and who subsequently are found guilty of DWI to apply for an occupational driver's license. Ironically, those who were acquitted of the charges could not apply for the occupational permit.

If we are to have an Implied Consent Law—and I believe we should—we must enforce it. There must be a clear consequence to refusing the breathalyzer or the Implied Consent Law will be intolerably weakened.

I have therefore vetoed House Bill No. 537.

Respectfully submitted,
JOHN SPELLMAN, GOVERNOR

MOTION FOR VETO OVERRIDE

Mr. Padden moved that the House do pass House Bill No. 537 notwithstanding the veto of the governor.

Representatives Padden and Hastings spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do pass House Bill No. 537 notwithstanding the veto of the Governor, and the motion received the required two-thirds majority, by the following vote: Yeas, 73; nays, 18; not voting, 7.

Voting yea: Representatives Addison, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, King J., King R., Kreidler, Lundquist, Lux, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinchart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Bickham, Chandler, Ellis, Houchen, Kaiser, Lewis, McDonald, Prince, Sanders, Stratton, Struthers, Taylor, Teutsch, Tilly, Wilson.

Not voting: Representatives Barr, Barrett, Fancher, Flanagan, Leonard, Martinis, Warnke.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 279, by Committee on Education (originally sponsored by Committee on Education and Representative Taylor):

Authorizing school districts upon vote of school board to hold election to return to system of directors thereof running at large.

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

Representative Ehlers spoke against passage of the bill, and Representatives Tilly and Galloway spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 279, and the bill passed the House by the following vote: Yeas, 62; nays, 29; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ellis, Fiske, Galloway, Garrett, Garson, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Dawson, Ehlers, Eng, Erak, Gallagher, Granlund, Grimm, Heck, Kaiser, King R., Kreidler, Lux, Maxie, Nelson D., North, O'Brien, Rinehart, Rust, Salatino, Scott, Sherman, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis, Schmidt, Sommers.

Substitute House Bill No. 279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 778, by Select Committee on Deregulation and Productivity (originally sponsored by Select committee on Deregulation and Productivity and Representative Williams):

Revising provisions for licensing and regulation of certain professions.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 778, and the bill passed the House by the following vote: Yeas, 74; nays, 18; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fiske, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Ehlers, Eng, Garrett, Heck, Kaiser, King R., Kreidler, Lux, Maxie, Monohon, Rinehart, Rust, Salatino, Tilly, Wang, Warnke.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis, Schmidt.

Substitute House Bill No. 778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 274, by Committee on Human Services (originally sponsored by Committee on Human Services and Representative Mitchell):

Modifying licensing procedures for practical nurses.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 274, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Owen.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

Substitute House Bill No. 274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 4, by Representatives Sanders and Isaacson:

Designating the Roosevelt Elk as the state animal.

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

Representatives Sanders and Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 4, and the bill passed the House by the following vote: Yeas, 65; nays, 27; not voting, 6.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chamberlain, Clayton, Cole, Dickie, Eberle, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Rosbach, Sanders, Scott, Smith, Sommers, Stratton, Struthers, Thompson, Tilly, Valle, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Burns, Chandler, Dawson, Ehlers, Ellis, Eng, Greengo, Heck, Owen, Prince, Pruitt, Rinehart, Rust, Salatino, Schmidt, Sherman, Sprague, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Wilson.

Not voting: Representatives Barrett, Fancher, Flanagan, Houchen, Leonard, Martinis.

House Bill No. 4, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 449, by Committee on Agriculture (originally sponsored by Representatives Flanagan, Struthers, Barr, Amen and Thompson):

Modifying the supervisor of water resources responsibilities in determining water rights.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 449, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Armstrong.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis, McDonald, Tilly.

Substitute House Bill No. 449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 472, by Representatives Pruitt, Sherman, Monohon, Walk, Erickson and Lux:

Modifying the penalty for unlawful political advertising.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 472, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

House Bill No. 472, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 728, by Committee on State Government and Representative Sommers:

Revising definition of appraisals.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 728, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

Engrossed House Bill No. 728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 571, by Committee on Labor and Economic Development (originally sponsored by Representatives Hankins, Owen, Isaacson, Grimm, Bickham, Erak, Smith, Hastings, King, R., Scott, Struthers and Heck):

Implementing law relating to control of alcoholic beverages.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 571, and the bill passed the House by the following vote: Yeas, 73; nays, 20; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Clayton, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Garrett, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, King J., King R., Kroidler, Lewis, Lundquist, Lux, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Brekke, Chandler, Cole, Dawson, Galloway, Garson, Greengo, Johnson, Kaiser, Maxie, Prince, Pruitt, Rust, Stratton, Taylor, Tilly, Van Dyken, Williams.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

Substitute House Bill No. 571, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 706, by Committee on Institutions and Representatives Struthers, Fiske, Walk and Houchen:

Modifying provisions on contraband and detention facilities.

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

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 706, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

House Bill No. 706, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 563, by Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Tilly, Bickham, Padden, Salatino, Schmidt, Pruitt and Tupper:

Modifying the grounds for a claim for malicious prosecution.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 563, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

House Bill No. 563, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 576, by Representatives McCormick, Gallagher, Wilson, Barrett, Eberle, Schmidt, Prince, Walk and Cantu:

Qualifying state authority for the 55 speed limit.

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

Ms. McCormick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 576, and the bill passed the House by the following vote: Yeas, 60; nays, 33; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Eberle, Ellis, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, King J., King R., Lewis, Lundquist, McCormick, McDonald, McGinnis, Monohon, Nelson G. A., Nickell, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Dawson, Dickie, Ehlers, Eng, Greengo, Hine, Kaiser, Kreidler, Lux, Maxie, Mitchell, Nelson D., Nisbet, North, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Valle, Van Dyken, Wang.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

House Bill No. 576, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 286, by Representatives Teutsch, Brekke, Mitchell, Valle, Williams, Wang, King (J), Tilly, Rinehart, Thompson, Sommers, McDonald, Stratton, Pruitt, Nisbet, Chamberlain, Winsley, Sanders, Ehlers, Sherman, Patrick, Lux, Isaacson, Eng, Greengo, Gruger, Tupper, Garrett, Wilson, Maxie, Erickson, Eberle, Heck, Granlund, Kreidler, Hine, Burns and Rust:

Continuing the displaced homemakers program.

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

Representatives Teutsch and Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 286, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Dickie, Schmidt.

Not voting: Representatives Barrett, Fancher, Flanagan, Leonard, Martinis.

Reengrossed House Bill No. 286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 151, by Representatives Galloway, Teutsch, Erickson, Winsley, King (J), Wang and Brekke:

Modifying the laws affecting assault victims under sixteen.

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

Ms. Galloway spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 151, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Clayton.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis.

Engrossed House Bill No. 151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 612, by Committee on Revenue (originally sponsored by Representatives Amen, Greengo, Granlund, Rinehart, Flanagan, Bond, Fancher and Clayton):

Modifying provisions on county indicated ratios.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 612, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Flanagan, Leonard, Martinis, Teutsch.

Substitute House Bill No. 612, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 378, by Committee on Labor and Economic Development and Representative Sanders:

Revising laws regulating cosmetology.

The bill was read the second time. On motion of Mr. Sanders, Second Substitute House Bill No. 378 was substituted for House Bill No. 378, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 378 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 378, and the bill passed the House by the following vote: Yeas, 88; nays, 7; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Garrett, King R., Lux, Owen, Pruitt, Stratton.

Not voting: Representatives Fancher, Leonard, Martinis.

Second Substitute House Bill No. 378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House recessed until 9:30 a.m., Wednesday, January 27, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 27, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher and Martinis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Belinda McPherson and Charles Erwin. Prayer was offered by The Reverend James Blundell, Minister of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE SENATE

January 26, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3518,
ENGROSSED SENATE BILL NO. 4313,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1023, by Representatives Erak, Wilson, Thompson, Williams, Rust, Greengo, Galloway, Sommers and Flanagan:

AN ACT Relating to abstracts of driving records; amending section 5, chapter 169, Laws of 1963 as last amended by section 63, chapter 136, Laws of 1979 ex. sess. and RCW 46.29.050; and amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 84, chapter 136, Laws of 1979 ex. sess. and RCW 46.52.130.

To Committee on Transportation

HOUSE BILL NO. 1024, by Representatives McGinnis, Brown, Johnson, Stratton, Lewis, Leonard, Sanders and Granlund:

AN ACT Relating to sheltered workshops; amending section 43.78.030, chapter 8, Laws of 1965 as amended by section 114, chapter 81, Laws of 1971 and RCW 43.78.030; adding a new section to chapter 43.78 RCW; and providing an expiration date.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 1025, by Committee on Ethics, Law and Justice and Representative Chandler:

AN ACT Relating to adoption; and amending section 1, chapter 133, Laws of 1939 as last amended by section 2, chapter 101, Laws of 1979 ex. sess. and RCW 70.58.210.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1026, by Representatives Wilson, Martinis, Johnson, McDonald, Dickie, Granlund, Lundquist, King (R), Gallagher and James (by Governor Spellman request):

AN ACT Relating to the governance and administration of vocational education; amending section 1, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.010; and amending section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040.

To Committee on Education and to Committee on Higher Education

HOUSE BILL NO. 1027, by Committee on Ways and Means and Representatives Nelson (D), Rinehart, Lux, Becker, Pruitt, Kaiser and Rust:

AN ACT Relating to state indebtedness; amending section 8, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 111, Laws of 1974 ex. sess. and RCW 39.42.080; amending section 9, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.090; adding a new section to chapter 39.42 RCW; repealing section 6, chapter 184, Laws of 1971 ex. sess., section 1, chapter 204, Laws of 1979 ex. sess.

and RCW 39.42.060; and repealing section 7, chapter 184, Laws of 1971 ex. sess. and RCW 39.42-.070.

To Committee on Ways and Means

SUBSTITUTE SENATE BILL NO. 3518, by Committee on Transportation (originally sponsored by Senators McCaslin, Hansen, Moore, Deccio, Patterson and Benitz):

Excluding freeway speeding violations between 55 and 70 mph from a driver's insurance abstract.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4313, by Senators Fuller and Conner:

Authorizing increases in the compensation paid members of the youth development and conservation corps.

To Committee on Natural Resources and Environmental Affairs

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 25, 1982

HOUSE BILL NO. 869, Prime Sponsor: Representative Dawson, authorizing school districts to issue bonds for purchase of pupil transportation vehicles. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Cantu, Dickie, Eberle, Ellis, Eng, Galloway, Hine, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Voting nay: Representative James.

Passed to Committee on Rules for second reading.

January 25, 1982

HOUSE BILL NO. 932, Prime Sponsor: Committee on Agriculture, deleting irrigation districts from application of certain laws relating to adverse possession. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fiske, Gallagher, Hastings, Kaiser, Lux, Prince, Sommers.

Not attending: Representatives Fancher, Padden.

Passed to Committee on Rules for second reading.

January 25, 1982

HOUSE BILL NO. 955, Prime Sponsor: Committee on Human Services, revising laws regulating public hospital districts. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, King (J), North, Padden, Pruitt, Stratton, Wang, Winsley.

Not attending: Representatives Houchen, Leonard, Teutsch, Vander Stoep, Winsley.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 844, by Representatives Ellis, Johnson and Maxie:

Authorizing public agencies to contract with collection agencies.

The bill was read the second time.

Mr. Ellis moved adoption of the following amendment by Representatives Ellis, Armstrong and Salatino:

On page 1, after line 19 insert:

"(4) For purposes of this section, the term debt shall include fines and other debts."

Mr. Ellis spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Ellis, just looking at this amendment, would this apply to school districts and political subdivisions of the state? Would this apply to school districts as well as students who owe money, or results of vandalism or whatever? Could they, in effect, have that debt or fine turned over to a collection agency?"

Mr. Ellis: "Yes, Representative Ehlers, it would be my understanding that is true."

Mr. Ehlers spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Ellis, I asked the question in Rules Committee relative to the definition of the term 'debt,' and specifically, including fines. I was primarily interested in a couple of situations in Seattle, where we have the difficult time of collecting debts for parking fines. It's not so much the first-time notice, but sometimes the notices have gone unpaid and they add up. It's difficult to get the fines after a period of time. This would cover those kinds of fines as well?"

Mr. Ellis: "Yes, Representative Maxie, any legitimately imposed fine. I'm not sure about the parking ticket itself, whether without further legal procedure, these would necessarily be imposed, but my understanding is that the ordinance of the city defines those as fines, so I think they would stand a good chance of being included."

Ms. Maxie: "You have another bill in your committee regarding the victim's compensation fund. I had asked the question regarding whether or not this would help that, and I know this is permissive legislation, but would it help that process?"

Mr. Ellis: "Yes."

Ms. Maxie spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 844, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Martinis.

Engrossed House Bill No. 844, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 916, by Committee on Ethics, Law and Justice and Representatives Ellis and Wang:

Modifying the interest rate on judgments.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 916, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Martinis.

House Bill No. 916, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 897, by Representatives Armstrong and Ellis:

Providing for jurisdiction in arbitration cases.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 897, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Martinis, Teutsch.

House Bill No. 897, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 825, by Representatives Nickell, Rosbach and Stratton:

Authorizing blue lights on enforcement vehicles of the departments of fisheries and game.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass with the following amendment:

On page 2, line 10 after "fisheries," insert "the Washington state parks and recreation commission,"

On motion of Ms. Rosbach, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 825, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Barr.

Not voting: Representatives Fancher, Martinis, Teutsch.

Engrossed House Bill No. 825, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 696, by Committee on Local Government (originally sponsored by Committee on Local Government and Representatives Isaacson and Stratton):

Modifying the investment authority of municipal employees' pension system boards.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 696, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fancher, Martinis, Teutsch.

Substitute House Bill No. 696, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 268, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust):

Delaying vehicle license renewal until unpaid parking fines are paid.

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

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

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Ellis, couldn't the unpaid parking tickets be handled under House Bill 844 that just passed?"

Mr. Ellis: "If the municipality elected to involve a collection agency, yes. They have a double option here."

Mr. Patrick spoke against passage of the bill.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Garrett.

Mr. Garrett: "As I understand this bill, it would be limited only to parking fines and forfeitures. There would be no way that the local agencies, by ordinance or some other means, could attach, for instance, delinquent water bills, or light bills or any other means? It seems

like it would put the state into a collection agency and I want to be sure we don't go too far with this."

Mr. Ellis: "Representative Garrett, the legislation is limited to parking tickets only."

Representatives Leonard and Padden spoke against passage of the bill, and Mr. Armstrong spoke in favor of it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Winsley.

Ms. Winsley: "Representative Ellis, in the bill there is a twenty-five percent surcharge at the time that someone were to pick up his license tabs. Since the department is going to have to go through a lot of work in keeping track of all these traffic offenses for overparking, I'd like to know where this twenty-five percent surcharge is going to go. Is it going to go to the state or is it going back to the local governments?"

Mr. Ellis: "Representative Winsley, the surcharge goes to the state to reimburse the cost to the Department of Licensing in administering the program. The fines would go to the local jurisdictions."

Ms. Winsley opposed passage of the bill, and Mr. Bond spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 268, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Bond, Brekke, Cantu, Chamberlain, Chandler, Cole, Ellis, Erak, Fiske, Flanagan, Granlund, Heck, Hine, Houchen, Johnson, Kaiser, King J., Kreidler, Lundquist, Lux, Maxie, McCormick, McDonald, Monohon, Nelson D., O'Brien, Pruitt, Rust, Salatino, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Van Dyken, Walk, Wang, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Bender, Berleen, Bickham, Brown, Burns, Clayton, Dickie, Eberle, Ehlers, Eng, Gallagher, Galloway, Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Isaacson, James, King R., Leonard, Lewis, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Scott, Sprague, Tupper, Vander Stoep, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Dawson, Fancher, Martinis, Teutsch.

Substitute House Bill No. 268, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Nelson (G), having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 268 failed to pass the House.

SUBSTITUTE HOUSE BILL NO. 451, by Committee on Institutions (originally sponsored by Representatives Ehlers, Erickson and Hine):

Modifying provisions relating to juveniles.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 451, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Dawson, Fancher, Martinis, Teutsch.

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

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 26, 1982

HOUSE BILL NO. 857, Prime Sponsor: Representative Vander Stoep, permitting audits by private accounting firms. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Erak, Greengo, Hankins, Johnson, Lewis, McGinnis, Nickell, O'Brien; Sprague.

MINORITY recommendation: Do not pass. Signed by Representatives Walk, Ranking Minority Member; Rust.

Voting nay: Representatives Kaiser, Rinehart.

Not voting: Representative Nelson (D).

Passed to Committee on Rules for second reading.

January 25, 1982

HOUSE BILL NO. 922, Prime Sponsor: Representative Amen, authorizing the parole board to reduce prison overcrowding. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Berleen, Granlund, Nickell, Struthers, Van Dyken.

Voting nay: Representatives Owen, Ranking Minority Member; Scott, Walk.

Not attending: Representative Van Dyken.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, January 28, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

EIGHTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 28, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1028, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to civil procedure; amending section 5, chapter 103, Laws of 1979 and RCW 7.06.050; amending section 12, chapter 157, Laws of 1973 1st ex. sess. and RCW 26.09.120; and amending section 2, chapter 157, Laws of 1973 1st ex. sess. as amended by section 1, chapter 23, Laws of 1973 2nd ex. sess. and RCW 26.09.020.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1029, by Committee on Ethics, Law and Justice and Representative Ellis:

AN ACT Relating to judgments; amending section 6, chapter 60, Laws of 1929 and RCW 4.56.100; amending section 307, page 75, Laws of 1869 as last amended by section 305, Code of 1881 and RCW 4.64.030; and amending section 2, chapter 60, Laws of 1929 as amended by section 17, chapter 81, Laws of 1971 and RCW 4.56.200.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1030, by Committee on Energy and Utilities and Representatives Dawson and Barnes:

AN ACT Relating to public utilities; and amending section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010.

To Committee on Energy and Utilities

HOUSE BILL NO. 1031, by Committee on Energy and Utilities and Representative Barnes:

AN ACT Relating to disbursement of funds by joint operating agencies; and amending section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375.

To Committee on Energy and Utilities

HOUSE BILL NO. 1032, by Committee on Energy and Utilities and Representative Barnes:

AN ACT Relating to joint operating agencies; and amending section 4, chapter 173, Laws of 1981 and RCW 43.52.505.

To Committee on Energy and Utilities

HOUSE BILL NO. 1033, by Committee on Labor and Economic Development and Representatives Sanders and Clayton:

AN ACT Relating to unemployment compensation; amending section 11, chapter 35, Laws of 1945 and RCW 50.04.100; amending section 59, chapter 35, Laws of 1945 as last amended by section 149, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 50.12.200; amending section 74, chapter 35, Laws of 1945 as last amended by section 5, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.060; amending section 2, chapter 1, Laws of 1971 as last amended by section 7, chapter 35, Laws of 1981 and RCW 50.22.010; amending section 7, chapter 1, Laws of 1971 and RCW 50.22.060; amending section 4, chapter 1, Laws of 1971 as amended by section 9, chapter 35, Laws of 1981 and RCW 50.22.030; amending section 6, chapter 1, Laws of 1971 and RCW 50.22.050; amending section 101, chapter 35, Laws of 1945 as last amended by section 11, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.130; amending section 124, chapter 35, Laws of 1945 and RCW 50.32.080; amending section 183, chapter 35, Laws of 1945 and RCW 50.40.020; amending section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090; adding a new section to chapter 50.04 RCW; adding a new section to chapter 50.20 RCW; adding a new section to chapter 50.32 RCW; adding a new section to chapter 50.40 RCW; creating a new section; declaring an emergency; and providing an effective date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1034, by Committee on Ethics, Law and Justice and Representative Ellis:
AN ACT Relating to theft of utility services; and adding a new section to chapter 9A.56 RCW.

To committee on Ethics, Law and Justice

HOUSE BILL NO. 1035, by Committee on Ways and Means and Representative Chandler:
AN ACT Relating to state debt; and amending section 6, chapter 184, Laws of 1971 ex. sess. as amended by section 1, chapter 204, Laws of 1979 ex. sess. and RCW 39.42.060.

To Committee on Ways and Means

HOUSE BILL NO. 1036, by Committee on Higher Education and Representative Teutsch:
AN ACT Relating to the state board for community college education; and amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 246, Laws of 1981 and RCW 28B.50.090.

To Committee on Higher Education

HOUSE BILL NO. 1037, by Representatives Rosbach, Owen, Nisbet, King (J), Houchen, Heck, Wilson, Brown, Vander Stoep, Bender, Nickell, Lux, Becker, Monohon, North, Wang and Garson:

AN ACT Relating to forests, forest products and employment in the forest products industry; adding new sections to chapter 79.01 RCW; prescribing penalties; providing an expiration date; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1038, by Representatives Galloway, Garson and Kreidler:

AN ACT Relating to a public guardian; and creating a new chapter in Title 36 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1039, by Representatives Eberle and Sanders:

AN ACT Relating to state liquor stores; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.16.040; and repealing section 8, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.050.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1040, by Representatives Grimm, Walk, Bond and Nelson (D):

AN ACT Relating to education; amending section 2, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.020; amending section 4, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.040; amending section 28B.50.230, chapter 223, Laws of 1969 ex. sess. as amended by section 14, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.090; amending section 1, chapter 98, Laws of 1969 ex. sess. and RCW 28C.04.140; amending section 53, chapter 283, Laws of 1969 ex. sess. as amended by section 16, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.310; amending section 9, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.500; amending section 1, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.010; amending section 5, chapter 349, Laws of 1977 ex. sess. and RCW 28C.50.050; amending section 1, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.010; amending section 5, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.050; amending section 3, chapter 188, Laws of 1979 ex. sess. as amended by section 1, chapter 283, Laws of 1981 and RCW 28B.05.030; amending section 5, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.050; amending section 8, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.080; amending section 13, chapter 188, Laws of 1979 ex. sess. as amended by section 3, chapter 283, Laws of 1981 and RCW 28B.05.130; amending section 14, chapter 75, Laws of 1923 as last amended by section 4, chapter 283, Laws of 1981 and RCW 18.15.090; amending section 4, chapter 180, Laws of 1951 as last amended by section 6, chapter 283, Laws of 1981 and RCW 18.18.070; amending section 21, chapter 71, Laws of 1941 as last amended by section 71, chapter 158, Laws of 1979 and RCW 18.92.015; amending section 3, chapter 175, Laws of 1973 1st ex. sess. as amended by section 3, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.030; amending section 4, chapter 175, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.040; amending section 2, chapter 30, Laws of 1980 and RCW 19.28.510; amending section 4, chapter 30, Laws of 1980 and RCW 19.28.530; amending section 8, chapter 73, Laws of 1979 and RCW 28B.04.080; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 12, chapter 62, Laws of 1973 and RCW 28B.50.030; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 246, Laws of 1981 and RCW 28B.50.090; amending section 4, chapter 277, Laws of 1969 ex. sess. as last amended by section 43, chapter 169, Laws of 1977 ex. sess. and RCW 28B.80.040; amending section 6, chapter 277, Laws of 1969 ex. sess. as amended by section 5, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.060; amending section 1, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.130; amending section 20, chapter 87, Laws of 1980 and RCW 43.03.028; amending

section 43, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.320; amending section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.010; amending section 2, chapter 231, Laws of 1941 as last amended by section 2, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.030; amending section 3, chapter 77, Laws of 1969 ex. sess. as amended by section 2, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.08.012; adding new sections to chapter 28C.04 RCW; creating new sections; repealing section 1, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.010; repealing section 3, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.030; repealing section 5, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.050; repealing section 6, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.060; repealing section 8, chapter 174, Laws of 1975 1st ex. sess., section 79, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28C.04.070; repealing section 10, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.080; repealing section 7, chapter 174, Laws of 1975 1st ex. sess. and RCW 28C.04.150; providing an effective date; and declaring an emergency.

To Committee on Education and to Committee on Higher Education

HOUSE BILL NO. 1041, by Representatives Fiske, Galloway, Van Dyken and Smith:

AN ACT Relating to agricultural cooperative associations; amending section 15, chapter 115, Laws of 1921 as last amended by section 4, chapter 132, Laws of 1959 and RCW 24.32.210; and amending section 70, chapter 120, Laws of 1969 ex. sess. and RCW 24.06.350.

To Committee on Agriculture

HOUSE BILL NO. 1042, by Representatives Granlund and Kaiser:

AN ACT Relating to community colleges; amending section 29, chapter 261, Laws of 1969 ex. sess. as last amended by section 1, chapter 148, Laws of 1979 ex. sess. and RCW 28B.15.520; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW.

To Committee on Higher Education

HOUSE BILL NO. 1043, by Representatives Hastings, Owen, James, McGinnis and Struthers:

AN ACT Relating to excise taxation; and amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470.

To Committee on Revenue

HOUSE BILL NO. 1044, by Representatives Lundquist, James, Salatino, Johnson, Fiske and Wang:

AN ACT Relating to port districts; amending section 3, chapter 17, Laws of 1959 as amended by section 1, chapter 51, Laws of 1965 and RCW 53.12.010; amending section 11, chapter 17, Laws of 1959 as amended by section 8, chapter 51, Laws of 1965 and RCW 53.12.130; amending section 4, chapter 17, Laws of 1959 as last amended by section 2, chapter 51, Laws of 1965 and RCW 53.12.020; amending section 9, chapter 175, Laws of 1959 as amended by section 3, chapter 51, Laws of 1965 and RCW 53.12.035; amending section 5, chapter 17, Laws of 1959 and RCW 53.12.050; amending section 10, chapter 175, Laws of 1959 as amended by section 5, chapter 51, Laws of 1965 and RCW 53.12.055; amending section 8, chapter 17, Laws of 1959 as amended by section 8, chapter 175, Laws of 1959 and RCW 53.12.150; amending section 2, chapter 113, Laws of 1925 ex. sess. as last amended by section 35, chapter 126, Laws of 1979 ex. sess. and RCW 53.12.220; amending section 8, chapter 133, Laws of 1935 and RCW 53.12.180; amending section 9, chapter 133, Laws of 1935 and RCW 53.12.200; amending section 29.13.015, chapter 9, Laws of 1965 and RCW 29.13.015; creating new sections; adding a new section to chapter 53.12 RCW; repealing section 4, chapter 51, Laws of 1965, section 2, chapter 175, Laws of 1959, section 7, chapter 17, Laws of 1959 and RCW 53.12.040; repealing section 21, chapter 200, Laws of 1963, section 4, chapter 175, Laws of 1959, section 3, chapter 69, Laws of 1951 and RCW 53.12.044; repealing section 6, chapter 51, Laws of 1965 and RCW 53.12.057; repealing section 6, chapter 175, Laws of 1959, section 1, chapter 204, Laws of 1927, section 3, chapter 62, Laws of 1913 and RCW 53.12.060; repealing section 7, chapter 51, Laws of 1965, section 3, chapter 175, Laws of 1959, section 10, chapter 17, Laws of 1959 and RCW 53.12.120; repealing section 19, chapter 200, Laws of 1963, section 1, chapter 68, Laws of 1951, section 1, chapter 17, Laws of 1941, section 1, chapter 133, Laws of 1935 and RCW 53.12.160; repealing section 34, chapter 126, Laws of 1979 ex. sess., section 2, chapter 68, Laws of 1951 and RCW 53.12.172; repealing section 10, chapter 133, Laws of 1935 and RCW 53.12.190; and repealing section 20, chapter 200, Laws of 1963, section 1, chapter 45, Laws of 1941, section 1, chapter 113, Laws of 1925 ex. sess. and RCW 53.12.210.

To Committee on Local Government

HOUSE BILL NO. 1045, by Representatives Grimm, Brown, Gallagher, Walk, Ehlers, Sherman, Winsley and Wang:

AN ACT Relating to education; amending section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 3, chapter 250, Laws of 1979 ex. sess. and RCW 28A.41.140; amending section 1, chapter

359, Laws of 1977 ex. sess. and RCW 28A.58.750; and amending section 2, chapter 359, Laws of 1977 ex. sess. and RCW 28A.58.752.

To Committee on Education

HOUSE BILL NO. 1046, by Representatives Lewis, Valle, McGinnis, Salatino, Wang, Burns, Tupper, Ellis, Armstrong and Granlund:

AN ACT Relating to community mental health; adding new sections to chapter 71.24 RCW; repealing section 1, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.010; repealing section 2, chapter 111, Laws of 1967 ex. sess., section 6, chapter 304, Laws of 1971 ex. sess. and RCW 71.24.020; repealing section 3, chapter 111, Laws of 1967 ex. sess., section 7, chapter 304, Laws of 1971 ex. sess., section 30, chapter 122, Laws of 1972 ex. sess., section 5, chapter 155, Laws of 1973 1st ex. sess. and RCW 71.24.030; repealing section 4, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.040; repealing section 5, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.050; repealing section 6, chapter 111, Laws of 1967 ex. sess., section 1, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.060; repealing section 7, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.070; repealing section 8, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.080; repealing section 9, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.090; repealing section 10, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.100; repealing section 11, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.110; repealing section 12, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.120; repealing section 13, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.130; repealing section 14, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.140; repealing section 15, chapter 111, Laws of 1967 ex. sess., section 2, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.150; repealing section 16, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.160; repealing section 1, chapter 61, Laws of 1969, section 141, chapter 141, Laws of 1979 and RCW 71.24.165; repealing section 19, chapter 111, Laws of 1967 ex. sess., section 165, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 71.24.190; repealing section 20, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.200; repealing section 21, chapter 111, Laws of 1967 ex. sess., section 1, chapter 145, Laws of 1979 ex. sess. and RCW 71.24.210; repealing section 22, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.220; repealing section 23, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.230; repealing section 24, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.240; repealing section 25, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.250; repealing section 26, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.900; and providing an effective date.

To Committee on Human Services

HOUSE BILL NO. 1047, by Representatives Johnson, Mitchell, Kreidler, Grimm, Tupper, Teutsch, Cantu, Hankins, Winsley, McGinnis, Lundquist, Lewis, Brown, Hine, Vander Stoep and Ellis:

AN ACT Relating to health care; and amending section 19, chapter 192, Laws of 1909 as last amended by section 5, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.030.

To Committee on Human Services

HOUSE BILL NO. 1048, by Select Committee on Child Abuse and Representatives Berleen, Galloway, Brown, Salatino and Lewis:

AN ACT Relating to child abuse and family offenses; amending section 9A.64.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.64.020; amending section 34, chapter 291, Laws of 1977 ex. sess. as amended by section 39, chapter 155, Laws of 1979 and RCW 13.34.060; amending section 2, chapter 13, Laws of 1965 as last amended by section 1, chapter 164, Laws of 1981 and RCW 26.44.020; amending section 3, chapter 13, Laws of 1965 as last amended by section 2, chapter 164, Laws of 1981 and RCW 26.44.030; amending section 9, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.056; amending section 3, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.080; and prescribing penalties.

To Select Committee on Child Abuse

HOUSE BILL NO. 1049, by Representatives Kaiser, Ellis, Armstrong, Johnson, Stratton, Ehlers, Chandler, Owen, Granlund, Smith, Pruitt, Walk, Salatino, Patrick, Sherman and Wang:

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

To Committee on Ethics, Law and Justice

HOUSE CONCURRENT RESOLUTION NO. 35, by Representatives McDonald, Sommers, Chandler, Thompson, Tupper, James and Wang:

Encouraging the establishment of programs in schools to help prevent child abuse.

To Committee on Education

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORT OF STANDING COMMITTEE

January 27, 1982

HOUSE BILL NO. 986, Prime Sponsor: Committee on Appropriations – General Government, modifying provisions relating to retirement from public service. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 7, beginning on line 1 strike all of Section 3.

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Rosbach.

Voting Nay: Representative Monohon.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, January 29, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 29, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Fiske, Hastings and Winsley. Representatives Fancher, Fiske and Hastings were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jodi Hansen and Stacy Culver. Prayer was offered by Leroy Schauer, Pastor of the Olympic View Baptist Church of Tacoma.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE GOVERNOR

January 22, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on January 21, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 847: Relating to payment by a joint agency to its members of interest at market rates.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGE FROM THE SENATE

January 28, 1982

Mr. Speaker:

The Senate has passed:

SECOND REENGROSSED SENATE BILL NO. 3446,
SUBSTITUTE SENATE BILL NO. 3512,
ENGROSSED SENATE BILL NO. 3823,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1050, by Representatives Kaiser, Ehlers, Winsley, Valle, McDonald, Sherman, Grimm, Vander Stoep, Lux, Patrick, Eng, Walk, Maxie and Johnson:

AN ACT Relating to traffic infractions; amending section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060; and amending section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1051, by Representatives Clayton, Lux, Tilly, Nickell, King (R) and Hastings:

AN ACT Relating to farm labor shelters; adding new sections to chapter 70.114 RCW; making an appropriation; providing an effective date; and providing an expiration date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1052, by Committee on Local Government and Representatives Isaacson, Hine, McGinnis, Garrett and Wang (by Planning and Community Affairs Agency request):

AN ACT Relating to the state building code; and amending section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 8, Laws of 1980 and RCW 19.27.030.

To Committee on Local Government

HOUSE BILL NO. 1053, by Committee on Energy and Utilities and Representative Barnes:

AN ACT Relating to procurement by joint operating agencies constructing, improving, or operating electrical facilities; adding new sections to chapter 43.52 RCW; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1054, by Committee on Labor and Economic Development and Representatives Tilly, Sanders and King (J):

AN ACT Relating to industrial insurance; amending section 51.08.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 128, Laws of 1981 and RCW 51.08.070; amending section 51.08.180, chapter 23, Laws of 1961 as last amended by section 2, chapter 128, Laws of 1981 and RCW 51.08.180; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 3, chapter 128, Laws of 1981 and RCW 51.12.020; and adding a new section to chapter 51.12 RCW.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1055, by Representatives Addison, Brown, James, Owen, Sanders and Bond:

AN ACT Relating to game and game fish; adding a new section to chapter 77.16 RCW; and prescribing penalties.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1056, by Representatives Houchen and Struthers:

AN ACT Relating to juveniles; amending section 3, chapter 160, Laws of 1913 as last amended by section 6, chapter 155, Laws of 1979 and RCW 13.04.040; amending section 62, chapter 291, Laws of 1977 ex. sess. as last amended by section 8, chapter 299, Laws of 1981 and RCW 13.40.080; amending section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 13, chapter 299, Laws of 1981 and RCW 13.40.160; amending section 73, chapter 291, Laws of 1977 ex. sess. as amended by section 69, chapter 155, Laws of 1979 and RCW 13.40.190; amending section 74, chapter 291, Laws of 1977 ex. sess. as amended by section 70, chapter 155, Laws of 1979 and RCW 13.40.200; amending section 2, chapter 266, Laws of 1981 and RCW 13.40.270; amending section 9, chapter 155, Laws of 1979 as amended by section 19, chapter 299, Laws of 1981 and RCW 13.50.050; and repealing section 16, chapter 160, Laws of 1913 and RCW 13.04.160.

To Committee on Institutions

HOUSE BILL NO. 1057, by Representatives Clayton, McCormick, Patrick, Lewis, Wilson, Martinis, Gallagher, Lux, Greengo, Smith, Nickell, Eng, Nisbet, Tupper, Walk, Taylor, Tilly, Cole, Johnson and Brekke:

AN ACT Relating to motor vehicle liability insurance; amending section 20, chapter 241, Laws of 1969 ex. sess. as last amended by section 17, chapter 339, Laws of 1981 and RCW 48.18.292; amending section 27, chapter 150, Laws of 1967 as last amended by section 1, chapter 150, Laws of 1981 and RCW 48.22.030; adding a new chapter to Title 46 RCW; adding a new section to chapter 48.18 RCW; prescribing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1058, by Committee on Labor and Economic Development and Representatives Sanders, Clayton, King (J) and Warnke (by Department of Labor and Industries and Legislative Budget Committee request):

AN ACT Relating to labor; amending section 15.24.086, chapter 11, Laws of 1961 as amended by section 20, chapter 154, Laws of 1973 1st ex. sess. and RCW 15.24.086; amending section 2, chapter 123, Laws of 1975 1st ex. sess. and RCW 43.22.505; amending section 43.78.150, chapter 8, Laws of 1965 as amended by section 86, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.78.150; amending section 1, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.005; amending section 1, chapter 174, Laws of 1913 as amended by section 2, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.010; amending section 2, chapter 174, Laws of 1913 as amended by section 3, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.020; amending section 5, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.041; amending section 7, chapter 174, Laws of 1913 as amended by section 14, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.050; amending section 6, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.091; amending section 7, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.101; amending section 8, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.105; amending section 13, chapter 174, Laws of 1913 as last amended by section 35, chapter 80, Laws of 1977 ex. sess. and RCW 49.12.110; amending section 15, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.121; amending section 3, chapter 51, Laws of 1973 and RCW 49.12.123; amending section 17 1/2, chapter 174, Laws of 1913 and RCW 49.12.140; amending section 9, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.161; amending section 17, chapter 174, Laws of 1913 as amended by section 16, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.170; amending section 20,

chapter 174, Laws of 1913 as amended by section 73, chapter 75, Laws of 1977 and RCW 49.12.180; repealing section 195, chapter 249, Laws of 1909, section 39, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.28.060; repealing section 43.22.280, chapter 8, Laws of 1965, section 84, chapter 154, Laws of 1973 1st ex. sess., section 4, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.280; repealing section 10, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.035; repealing section 15, chapter 174, Laws of 1913 and RCW 49.12.125; repealing section 1, chapter 156, Laws of 1972 ex. sess., section 1, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.010; repealing section 2, chapter 156, Laws of 1972 ex. sess., section 2, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.020; repealing section 3, chapter 156, Laws of 1972 ex. sess., section 3, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.030; repealing section 4, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.040; repealing section 5, chapter 156, Laws of 1972 ex. sess., section 4, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.050; repealing section 6, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.060; repealing section 7, chapter 156, Laws of 1972 ex. sess., section 5, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.070; repealing section 8, chapter 156, Laws of 1972 ex. sess., section 6, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.080; repealing section 9, chapter 156, Laws of 1972 ex. sess., section 7, chapter 3, Laws of 1973 2nd ex. sess. and RCW 49.66.090; repealing section 10, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.100; repealing section 11, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.110; repealing section 12, chapter 156, Laws of 1972 ex. sess., section 8, chapter 3, Laws of 1973 2nd ex. sess., section 147, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 49.66.120; and repealing section 13, chapter 156, Laws of 1972 ex. sess. and RCW 49.66.900.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1059, by Committee on Labor and Economic Development and Representatives Patrick, Sanders, Garrett and Brekke (by Liquor Control Board request):

AN ACT Relating to financial interests by banks, savings and loan associations and institutional investors in alcoholic beverage licensees; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1060, by Committee on Labor and Economic Development and Representatives Nickell, Tilly, King (J) and Sanders:

AN ACT Relating to prosecutions under state liquor laws; and amending section 36.27.020, chapter 4, Laws of 1963 as amended by section 1, chapter 19, Laws of 1975 1st ex. sess. and RCW 36.27.020.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1061, by Committee on Labor and Economic Development and Representatives Patrick, Garrett, Williams, Ehlers, Hankins, Burns, Lewis, Thompson, King (J), Granlund, Leonard, Pruitt, Bender, Lux and Tupper:

AN ACT Relating to plumber certification; amending section 1, chapter 175, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.010; amending section 2, chapter 175, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.020; amending section 3, chapter 175, Laws of 1973 1st ex. sess. as amended by section 3, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.030; amending section 4, chapter 175, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.040; amending section 5, chapter 175, Laws of 1973 1st ex. sess. as amended by section 5, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.050; amending section 7, chapter 175, Laws of 1973 1st ex. sess. as amended by section 7, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.070; amending section 9, chapter 175, Laws of 1973 1st ex. sess. as amended by section 8, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.090; amending section 10, chapter 175, Laws of 1973 1st ex. sess. as amended by section 9, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.100; amending section 11, chapter 175, Laws of 1973 1st ex. sess. as amended by section 56, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.106.110; amending section 14, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.140; amending section 11, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.155; amending section 16, chapter 175, Laws of 1973 1st ex. sess. as amended by section 10, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.160; adding new sections to chapter 175, Laws of 1973 1st ex. sess. and to chapter 18.106 RCW; repealing section 6, chapter 175, Laws of 1973 1st ex. sess., section 6, chapter 149, Laws of 1977 ex. sess. and RCW 18.106.060; repealing section 8, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.080; and prescribing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1062, by Committee on Labor and Economic Development and Representatives Isaacson, Hastings, Hankins and Sanders:

AN ACT Relating to the funding of Energy Fair '83; amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1063, by Committee on Labor and Economic Development and Representatives Sanders and Schmidt:

AN ACT Relating to alcoholic beverages; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.04.010; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.010; amending section 23-T added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 18, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.450; reenacting and amending section 9, chapter 178, Laws of 1969 ex. sess. as last amended by section 1, chapter 287, Laws of 1981 and by section 46, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.500; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010; amending section 36-A added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 245, Laws of 1943 as amended by section 24, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.44.310; repealing section 2, chapter 48, Laws of 1945, section 12, chapter 178, Laws of 1969 ex. sess., section 1, chapter 275, Laws of 1969 ex. sess., section 1, chapter 23, Laws of 1979 ex. sess. and RCW 66.28.020; and repealing section 14, chapter 21, Laws of 1969 ex. sess., section 3, chapter 275, Laws of 1969 ex. sess., section 7, chapter 173, Laws of 1975 1st ex. sess., section 1, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.025.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1064, by Committee on Appropriations – General Government and Representative Williams (by Washington State Patrol request):

AN ACT Relating to the privacy of criminal records; and amending section 9, chapter 314, Laws of 1977 ex. sess. as amended by section 4, chapter 36, Laws of 1979 ex. sess. and RCW 10.97.090.

To Committee on Appropriations – General Government

HOUSE JOINT MEMORIAL NO. 21, by Committee on Ways and Means and Representative Chandler:

Petitioning for continuation of and increases in deductions for property taxes and mortgage interest.

To Committee on Ways and Means

REENGROSSED SENATE BILL NO. 3446, by Senators Lee and Zimmerman:

Revising laws relating to boundary review boards.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 3512, by Committee on Local Government (originally sponsored by Senator Lee):

Providing for the annexation of certain property by fire protection districts.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 3823, by Senators Hurley, Shinpoch and Lee:

Authorizing the use of ORV moneys for hiking trails and areas.

To Committee on Natural Resources and Environmental Affairs

MOTIONS

Mr. Nelson (G) moved that the bills and the memorial listed on today's agenda under the fourth order of business be considered first reading and referred to the committees designated.

Mr. Grimm moved that the motion by Mr. Nelson (G) be amended, and **HOUSE BILL NO. 1062** be referred to Committee on Appropriations – General Government.

Mr. Grimm spoke in favor of the motion, and Representatives Nelson (G) and Isaacson spoke against it.

Mr. Brown demanded an electric roll call vote on the motion, and the demand was sustained.

Mr. Grimm spoke again in favor of the motion to amend the Nelson (G) motion.

ROLL CALL

The Clerk called the roll on the motion to refer House Bill No. 1062 to Committee on Appropriations - General Government, and the motion was lost by the following vote: Yeas, 40; nays, 53; not voting, 5.

Voting yea: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hinc, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinchart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Flanagan, Gallagher, Garson, Greengo, Hankins, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Fancher, Fiske, Hastings, Winsley.

The motion by Mr. Nelson (G) was carried.

REPORTS OF STANDING COMMITTEES

January 27, 1982

SUBSTITUTE HOUSE BILL NO. 424, Prime Sponsor: Committee on Transportation, modifying procedures for public transportation benefit areas. Reported by Committee on Transportation.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Bender, Burns, Cantu, Chamberlain, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not signing report: Representative Erak.

Not attending: Representatives Martinis, Ranking Minority Member; Eberle.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 454, Prime Sponsor: Representative Clayton, enacting the Workers' Compensation Vocational Rehabilitation Reform Act of 1981. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 13, line 21 after "of" insert "\$2,610,698"

On page 13, line 27 after "of" insert "\$50,000"

On page 13, after line 29 insert:

"There is also appropriated from the medical aid fund to the board of industrial insurance appeals for the biennium ending June 30, 1983, the sum of 226,995 dollars, or so much thereof as may be necessary, for the processing and completion of expedited appeals conducted under this act."

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 717, Prime Sponsor: Committee on Local Government, exempting lands purchased for commercial or industrial use from land development act requirements. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hinc, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Changing vote from Nay to Aye: Representative Berleen.

Not voting: Representative Brown.

Not attending: Representatives James, Kreidler.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 854, Prime Sponsor: Committee on Transportation, permitting motor fuel distributors to omit gas tax from the selling price. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Martinis, Ranking Minority Member; Sprague, Walk.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 858, Prime Sponsor: Representative James, abolishing certain boards and commissions and transferring their powers, duties, and functions. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Johnson, Lewis, McGinnis, Nelson (D), Nickell, Rust, Sprague.

Voting nay: Representatives Kaiser, O'Brien, Rinehart.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 875, Prime Sponsor: Representative Lundquist, providing for review of certain agencies under the Sunset Act. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Lewis, McGinnis, Nickell, Rinehart, Rust.

Voting nay: Representatives Kaiser, O'Brien, Sprague.

Not signing report: Representative Nelson (D).

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 931, Prime Sponsor: Select Committee on Deregulation and Productivity, modifying the handling of reserved funds for public contracts. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; King (R), Ranking Minority Member; McGinnis, Monohon.

Not attending: Representative McGinnis.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 946, Prime Sponsor: Representative Patrick, modifying provisions relating to the traffic safety commission. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Martinis, Ranking Minority Member; Eberle.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 987, Prime Sponsor: Committee on Appropriations – General Government, placing limitations on certain payments to school employees. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

January 27, 1982

SUBSTITUTE SENATE BILL NO. 3743, Prime Sponsor: Committee on Ways and Means, modifying the judicial retirement for disability statutes. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: Do pass with the following amendments:

- On page 2, line 2 after "section" insert "31"
- On page 3, line 11 after "section" insert "31"
- On page 4, line 1 after "section" insert "31"
- On page 4, line 24 after "section" insert "31"
- On page 5, line 15 after "section" insert "31"

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 841, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach, Johnson and Dawson (by Department of Fisheries request):

Extending the buy-back program for commercial salmon fishing vessels.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 841, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bond, Sanders.

Not voting: Representatives Fancher, Fiske, Hastings, Winsley.

House Bill No. 841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 855, by Representative Isaacson (by State Auditor request):

Extending scope of expenses charged for auditing municipal corporations.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 855 was substituted for House Bill No. 855, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 855 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Isaacson and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 855, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fancher, Fiske, Hastings, Winsley.

Substitute House Bill No. 855, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 226, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Stratton and Rosbach):

Insuring the informed consent of a woman having an abortion.

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

Representatives Pruitt, Tupper, Brekke, Struthers and Teutsch spoke against passage of the bill, and Representatives Padden, Ellis, Stratton and Van Dyken spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 226, and the bill passed the House by the following vote: Yeas, 55; nays, 39; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Flanagan, Gallagher, Garson, Greengo, Grimm, Heck, Hine, Isaacson, James, Johnson, Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Rosbach, Schmidt, Scott, Smith, Sprague, Stratton, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Hankins, Houchen, Kaiser, King J., King R., Kreidler, Lewis, Lux, Maxie, Monohon, Nelson D., Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Sherman, Sommers, Struthers, Teutsch, Thompson, Tupper, Valle, Wang, Warnke, Wilson.

Not voting: Representatives Fancher, Fiske, Hastings, Winsley.

Engrossed Substitute House Bill No. 226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 494, by Committee on Ethics, Law and Justice and Representative Wang:

Modifying procedures governing a defendant acquitted by reason of insanity.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 494, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund,

Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warne, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fancher, Fiske, Hastings, Winsley.

House Bill No. 494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 288, by Committee on Transportation (originally sponsored by Representatives Bender, Tilly, Pruitt, Erickson, Gruger, Burns, Wilson, Isaacson, Lux, Garrett, Maxie, Nelson (D), Kreidler, Warnke and Brekke):

Requiring approval and use of child safety restraints in vehicles.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Substitute House Bill No. 288 was returned to second reading for the purpose of amendment.

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

On page 1, line 7 strike "1981" and insert "1982"

On page 1, line 17 strike "1981" and insert "1982"

On page 1, line 25 and line 26 strike "1982" and insert "1983"

The bill was ordered engrossed. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bender, Tilly, Patrick, Kreidler, Heck and Tupper spoke in favor of passage of the bill, and Representatives Eberle, Galloway, Taylor, Clayton, James and Garson spoke against it.

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Nickell.

Mr. Nickell: "Representative Patrick, if a child were killed in an automobile without a restraint, and you were the investigating officer, would you charge the parents with negligent homicide because they didn't have a restraint in that car?"

Mr. Patrick: "Let me point out something to you, Representative Nickell. It says in the substitute bill, 'Failure to wear a child restraint is not admissible to prove parental negligence.' I think that answers your question. That's part of the bill, so the answer would be no."

Representatives Nickell and Dawson spoke against passage of the bill.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 288 was deferred.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 631 was rereferred from third reading calendar to Rules Committee.

On motion of Mr. Nelson (G), HOUSE BILL NO. 893 was rereferred from Committee on Revenue to Committee on Agriculture.

MOTION FOR RECONSIDERATION

Mr. Nelson (G), having served previous notice, moved that the House now reconsider the vote by which Substitute House Bill No. 268 failed to pass the House.

Mr. Nelson (G) spoke in favor of the motion, and Mr. Patrick spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute House Bill No. 268 failed to pass the House, and the motion was carried by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barr, Barrett, Becker, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Cole, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie,

McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Pruitt, Rust, Salatino, Sherman, Sommers, Stratton, Taylor, Thompson, Valle, Van Dyken, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Bender, Bickham, Chamberlain, Dawson, Dickie, Eberle, Galloway, Garson, Hankins, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Nisbet, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Struthers, Teutsch, Tilly, Tupper, Vander Stoep, Williams.

Not voting: Representatives Fancher, Fiske, Hastings, Winsley.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 268 was deferred, and the bill was ordered placed at the top of the third reading calendar.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-107, by Representatives Ellis, Padden, Armstrong, Salatino, Barnes, Taylor, Fiske, Johnson, Chandler, Nisbet, Houchen, Addison, Hankins, Berleen, Patrick, Barr, Winsley, McGinnis, Chamberlain, Eberle, Amen, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Isaacson, James, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Owen, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams and Wilson:

WHEREAS, Seven Russian Christians, now known world-wide as the Siberian Seven, went to the United States embassy in Moscow in 1978, seeking information about emigration; and

WHEREAS, An eighth member of the group was forcibly removed by the Soviet guards at the United States embassy and because of that the visit to the embassy turned into a desperate plea for refuge, which has lasted for three and one-half years; and

WHEREAS, The Siberian Seven have been seeking permission to emigrate for twenty years because of religious persecution, their children have been placed in orphanages, and adults have been put in prisons and psychiatric hospitals; and

WHEREAS, For most of the time these human beings have been living in a ten by sixteen foot room in the basement of the embassy and, from time to time, they are harassed by Soviet citizens who work in the embassy; and

WHEREAS, A hunger strike was begun on December 25, 1981, by one of the Seven, Augustina Vashchenko, and three days later her daughter joined her in the hunger strike which still continues; and

WHEREAS, Hundreds of students at Seattle Pacific University have expressed their solidarity with the Siberian Seven by maintaining a vigil and otherwise demonstrating their active support for the Siberian Seven;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the members of the House add their voices to the chorus requesting that the government of the Union of Soviet Socialist Republic give the freedom to emigrate to the Siberian Seven and all other persons persecuted by the Soviet government because of their religious or personal beliefs; and

BE IT FURTHER RESOLVED, That the government of the United States be encouraged to permit and facilitate the immigration to our country of the Siberian Seven and all other persons persecuted by the Soviet government because of their religious or personal beliefs; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send copies of this resolution to the Secretary of State of the United States, the ambassador to the United States from the Union of Soviet Socialist Republics; and to the Siberian Seven.

Representatives Ellis and Armstrong spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 82-108, by Representatives Padden, McGinnis, Hastings, Lewis, Winsley, Nisbet, Patrick, Ehlers, Clayton, Chamberlain, Valle, Flanagan, Rosbach, Wang, Berleen, Bond, Struthers, Greengo, Chandler, Dickie, Lundquist, Schmidt, Tilly, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Cole, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway,

Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kridler, Leonard, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Owen, Polk, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams and Wilson:

WHEREAS, The people of Poland have suffered under Soviet-imposed Communist oppression for over thirty-five years; and

WHEREAS, The Polish people have courageously begun to loose the chains of Soviet oppression through revitalization of those historic institutions of freedom—Christianity and the free trade union movement; and

WHEREAS, The Catholic Church of Poland and the Solidarity Labor Union have resolutely led a valiant fight for the freedom and dignity of all native Poles; and

WHEREAS, Acting on orders of the Soviet oppressors, the military high command of the Polish regime's armed forces ruthlessly imposed a military dictatorship of martial law upon the Polish people in an effort to crush the movement toward freedom; and

WHEREAS, The imposition of martial law in Poland is a flagrant violation of inalienable human rights and the will of the people of Poland; and

WHEREAS, The Polish people, joined by freedom-loving people everywhere, are continuing to strive to free Poland from the oppression of the Soviets and the Soviets' minions in the Polish regime; and

WHEREAS, January 30, 1982, has been designated as a day for free people everywhere to express their solidarity with the Polish people;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the people of Washington State proclaim solidarity with the people of Poland in their intrepid quest for freedom and dignity; and

BE IT FURTHER RESOLVED, That the government of the Union of Soviet Socialist Republics and its minions in the Polish regime are condemned for imposing martial law in Poland and be encouraged to allow freedom to the people of Poland; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send copies of this resolution to the Primate of the Polish Catholic Church and the imprisoned leader of the Solidarity Labor Union for communication to the people of Poland, to the ambassadors to the United States from the Union of Soviet Socialist Republics and the Polish regime, and to the Secretary of State of the United States.

Representatives Padden and Valle spoke in favor of the resolution and it was adopted.

HOUSE RESOLUTION NO. 82-109, by Representatives Heck, Ehlers, Grimm, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kridler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, Tomorrow, January 30th, is commemorated as the birthday of one of the great public figures of this twentieth century, this nation's only four-term president, Franklin Delano Roosevelt; and

WHEREAS, Born at Hyde Park, New York, January 30, 1882, graduating from Harvard, and Columbia Law School, and admitted to the New York bar, Roosevelt in 1910 began his long and successful political career as a Democrat in the New York state Senate; and

WHEREAS, When still a member of the New York legislature, President Woodrow Wilson appointed Roosevelt Assistant Secretary of the Navy; his radiant personality, together with his splendid World War I service, earned him the vice-presidential nomination of his party in 1920; and

WHEREAS, Stricken with infantile paralysis in August, 1921, Roosevelt, attended to by his devoted wife Anna Eleanor, after a long and gallant fight, recovered but partial use of his

legs; shrugging his handicap aside, Roosevelt led the fight at subsequent Democratic presidential nominating conventions for the Happy Warrior, Governor Alfred E. Smith of New York, Roosevelt himself being elected and re-elected as Governor of New York; and

WHEREAS, This nation, its people weary and discouraged in 1932 because of economic upheaval throughout this great land, elected to his first term of office, President Franklin Roosevelt, his spirited message being one of hopes capable of fulfillment; and then, the great Hundred Days; to forestall the failure of the nation's banks, a banking holiday was declared, the faith of the people being restored therein upon their reopening; then the regulation of the securities (stocks and bonds) was provided for; farm mortgages were federally guaranteed to stop foreclosures thereof; thus the unfolding of Roosevelt's New Deal program, with deserved benefits to labor, the farmers, the unemployed, and not least, to business, in an attempt to promote industry standards and stop cut-throat competition and monopolies; and

WHEREAS, Roosevelt, re-elected in 1936, tried to focus public attention on the events in Europe and Asia, aware of the menace to world peace by totalitarian fascism and though widely denounced as a warmonger by the isolationist faction in this Nation, he was handily re-elected in 1940, an unprecedented third term of office; and

WHEREAS, Though Roosevelt's policies of bringing maximum aid to Britain was likewise opposed after his 1940 election, the Japanese attack on Pearl Harbor awakened his critics as well and the Nation reacted in restored national unity. The successful conclusion of the war in Europe and his unending attempts to prepare for the peace settlements, earned him once again the peoples gratitude, and an election to a fourth term of office in 1944;

NOW, THEREFORE, BE IT RESOLVED, By this House of Representatives of the state of Washington, that we do on this day honor the memory of Franklin Delano Roosevelt; that once again in this land the phrase "you have nothing to fear but fear itself" be remembered and heeded; perhaps most characteristic of Franklin Roosevelt was his annual birthday celebration at Warm Springs, Georgia, The Little White House, an institution he revived for the treatment of paralysis victims like himself, with the March of Dimes collections throughout this country to aid those so discomfited; his death there on April 12, 1945, while ending his personal commitment to this Nation, was but a pause for those that shared his great dreams for the future of this Nation and the World;

BE IT FURTHER RESOLVED, That the news media be provided copies of this House resolution by the Chief Clerk of the House of Representatives for dissemination purposes.

Representatives Heck, Ehlers, Tilly, Lux, and Valle spoke in favor of the resolution, and it was adopted.

HOUSE RESOLUTION NO. 82-110, by Representatives Salatino, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, Brigadier General James L. Dozier, a United States Army officer assigned to the North Atlantic Treaty Organization (NATO) in Italy, was kidnapped and held for forty-two days by terrorists; and

WHEREAS, Thousands of men and women working with the Italian police and other official organizations in Italy devoted countless hours to identifying and apprehending General Dozier's captors and securing his safe release; and

WHEREAS, On January 28, 1982, a highly trained unit of the Italian police did free General Dozier from his captivity and placed his captors under arrest, without loss of life or bloodshed; and

WHEREAS, The dedication and professionalism of Italian authorities and the support of all of the people of Italy made it possible for General Dozier to be returned to his family and friends unharmed and to once again enjoy the blessings of freedom; and

WHEREAS, The events of the past forty-two days symbolized the friendship and mutual respect between the governments and people of Italy and the United States, and served to strengthen the long-standing ties which connect our two nations; and

WHEREAS, The Italian government and the people of Italy, particularly those men and women who contributed to the rescue efforts with their time, energy, and professional skills, are deserving of the praise and thanks of all the American people;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That we extend, on behalf of the citizens of the state of Washington, our deepest thanks and sincere appreciation to the government and people of Italy for their service to General Dozier and his family, and their contribution to all freedom-loving people of the world; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Alessandro Vattani, Consul General of Italy, and that Signor Vattani convey the message contained herein to appropriate officials of his government.

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

MOTION

On motion of Mr. Nelson (G), ENGROSSED HOUSE BILL NO. 342 was rereferred from third reading calendar to Rules Committee.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Monday, February 1, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 1, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

MESSAGE FROM THE SENATE

January 29, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3059,
 ENGROSSED SENATE BILL NO. 3292,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3895,
 SENATE BILL NO. 4025,
 SENATE BILL NO. 4064,
 SENATE JOINT MEMORIAL NO. 110,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1065, by Committee on Ways and Means and Representatives Chandler, Rosbach, Nisbet, Williams, Monohon, Vander Stoep, Wang and Johnson:

AN ACT Relating to business and occupation tax credits; adding a new section to chapter 82.04 RCW; and creating new sections.

To Committee on Ways and Means

HOUSE BILL NO. 1066, by Committee on Institutions and Representative Houchen:

AN ACT Relating to the criminal justice training commission; and amending section 3, chapter 17, Laws of 1975-'76 2nd ex. sess. and RCW 43.101.080.

To Committee on Institutions

HOUSE BILL NO. 1067, by Committee on Transportation and Representatives Garrett and Wilson:

AN ACT Relating to the Model Traffic Ordinance; amending section 50, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 65, Laws of 1980 and RCW 46.90.300; amending section 71, chapter 54, Laws of 1975 1st ex. sess. as last amended by section 4, chapter 65, Laws of 1980 and RCW 46.90.427; amending section 8, chapter 65, Laws of 1980 and RCW 46.90.705; repealing section 70, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.424; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1068, by Representatives Teutsch, Owen, Hankins, McCormick, Barrett, Brown, Patrick and Johnson:

AN ACT Relating to manufacturers' premium coupons, certificates or similar devices; amending section 3, chapter 221, Laws of 1957 as amended by section 1, chapter 104, Laws of 1972 ex. sess. and RCW 19.83.040; and creating a new section.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1069, by Representatives Leonard, Bond, Patrick, Brown, McGinnis, Stratton, Johnson, McCormick, Owen, Addison, Barrett, Schmidt, Scott, Nickell, Chamberlain, Rosbach and Padden:

AN ACT Relating to mandatory autopsies; amending section 3, chapter 90, Laws of 1917 as last amended by section 1, chapter 178, Laws of 1963 and RCW 68.08.010; and adding a new section to chapter 68.08 RCW.

To Committee on Human Services

HOUSE BILL NO. 1070, by Representatives King (R), Tupper, Heck, King (J), Lux and Scott:

AN ACT Relating to industrial insurance appeals; amending section 51.52.120, chapter 23, Laws of 1961 as last amended by section 81, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.120; and amending section 51.52.130, chapter 23, Laws of 1961 as amended by section 82, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.130.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1071, by Representatives Erak, Rosbach, Owen, Valle, Addison, Thompson, Lundquist, Greengo, Nickell, Garson, Chamberlain, Pruitt and Johnson:

AN ACT Relating to food fish and shellfish; amending section 75.28.300, chapter 12, Laws of 1955 as last amended by section 1, chapter 66, Laws of 1979 and RCW 75.28.300; and repealing section 3, chapter 40, Laws of 1975-76 2nd ex. sess. and RCW 75.28.377.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1072, by Committee on Institutions and Representatives Ellis and Vander Stoep:

AN ACT Relating to public employment; adding a new section to chapter 41.04 RCW; and declaring an emergency.

To Committee on Institutions

HOUSE BILL NO. 1073, by Representatives Valle, Barrett, Hankins, Johnson, Isaacson, King (J), Berleen, Nelson (D), Armstrong, Rust and Wang:

AN ACT Relating to real estate brokers and salesmen; amending section 11, chapter 222, Laws of 1951 as amended by section 11, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.130; and adding a new section to chapter 18.85 RCW.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1074, by Representative Smith:

AN ACT Relating to financial institutions; and adding a new section to chapter 30.04 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1075, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to appropriations to the department of natural resources and authorizing expenditures for capital improvements; authorizing certain projects; and declaring an emergency.

To Committee on Appropriations - General Government

HOUSE BILL NO. 1076, by Committee on Ways and Means and Representatives Nisbet, Chandler, Williams and Vander Stoep (by Department of Employment Security request):

AN ACT Relating to unemployment insurance; adding a new chapter to Title 50 RCW; creating new sections; providing an effective date; and declaring an emergency.

To Committee on Ways and Means

HOUSE BILL NO. 1077, by Representatives Sherman and Wang:

AN ACT Relating to revenue and taxation; adding a new chapter to Title 82 RCW; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1078, by Representatives Prince, Grimm and Amen:

AN ACT Relating to Washington State University; making an appropriation; and declaring an emergency.

To Committee on Appropriations - Education

HOUSE BILL NO. 1079, by Representatives Erak, Wilson, Martinis, Mitchell and Stratton:

AN ACT Relating to salmon propagation facilities; and adding a new chapter to Title 75 RCW.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1080, by Representatives Struthers, Williams, Granlund, Hastings, Van Dyken and Sprague:

AN ACT Relating to public documents; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5, chapter 150, Laws of

1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1081, by Representatives Wang, Ellis, Armstrong, Padden, Kreidler, Rust, Tupper, King (J), Berleen, Valle, Heck, Nelson (D), Galloway, Brekke, Erak, Becker and Pruitt:

AN ACT Relating to obscenity; amending section 14, chapter 256, Laws of 1969 ex. sess. and RCW 9.68.060; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1082, by Representatives Cantu, Sommers, Barnes, Warnke, Ellis, Dickie, Galloway, Bender, Berleen, Tupper, Lundquist, Erak, Vander Stoep, Prince, Johnson and Eng:

AN ACT Relating to public indebtedness; and amending section 3, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.030.

To Committee on Ways and Means

HOUSE BILL NO. 1083, by Committee on Education and Representative Johnson (by State Board of Education request):

AN ACT Relating to the election of education officials; amending section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050; amending section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 38, Laws of 1981 and RCW 28A.04.060; amending section 15, chapter 283, Laws of 1977 ex. sess. and RCW 28A.21.031; amending section 17, chapter 283, Laws of 1977 ex. sess. as amended by section 7, chapter 179, Laws of 1980 and RCW 28A.21.033; and creating a new section.

To Committee on Education

HOUSE BILL NO. 1084, by Committee on Education and Representative Taylor (by State Board of Education request):

AN ACT Relating to state board of education membership; amending section 28A.04.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.030; amending section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 179, Laws of 1980 and RCW 28A.04.040; and creating a new section.

To Committee on Education

HOUSE BILL NO. 1085, by Representatives Smith, Tilly, Nickell and Flanagan:

AN ACT Relating to the Twelfth and Thirteenth legislative districts; amending section 21, chapter 288, Laws of 1981 and RCW 44.07B.120; and amending section 22, chapter 288, Laws of 1981 and RCW 44.07B.130.

To Select Committee on Redistricting

HOUSE BILL NO. 1086, by Representatives Berleen, Owen, Wilson, McCormick, Eberle, Martinis, Rosbach and Nelson (G):

AN ACT Relating to motor vehicle emissions; amending section 2, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.020; amending section 3, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.030; amending section 4, chapter 163, Laws of 1979 ex. sess. as amended by section 2, chapter 176, Laws of 1980 and RCW 70.120.040; amending section 6, chapter 163, Laws of 1979 ex. sess. as amended by section 3, chapter 176, Laws of 1980 and RCW 70.120.060; amending section 13, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.120; repealing section 5, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.050; repealing section 7, chapter 163, Laws of 1979 ex. sess., section 4, chapter 176, Laws of 1980 and RCW 70.120.070; repealing section 8, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.080; repealing section 10, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.100; repealing section 12, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.110; creating new sections; and providing an expiration date.

To Committee on Transportation

HOUSE BILL NO. 1087, by Committee on Appropriations – General Government and Representative Williams:

AN ACT Relating to the department of fisheries; amending section 15, chapter 143, Laws of 1981 (uncodified); and creating a new section.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1088, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to contributions to the law enforcement officers' and fire fighters' retirement system; amending section 4, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 45, Laws of 1979 ex. sess. and RCW 41.26.040; amending section 8, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.080; creating a new section; and declaring an emergency.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1089, by Committee on Institutions and Representatives Houchen, Owen, Becker and Johnson:

AN ACT Relating to institutional education for juveniles; amending section 1, chapter 217, Laws of 1979 ex. sess. and RCW 28A.58.770; and adding a new section to chapter 28A.58 RCW.

To Committee on Institutions

SENATE BILL NO. 3059, by Senators Hansen, McCaslin and Lee:

Authorizing the financing of energy conservation projects.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 3292, by Senators Vognild, Hansen, Gaspard, Quigg, Talmadge and Gallagher (by Senate Oversight Committee on Arson request):

Defining the crime of refusing to report a fire.

To Committee on Financial Institutions and Insurance

ENGROSSED SUBSTITUTE SENATE BILL NO. 3895, by Committee on Constitutions and Elections (originally sponsored by Senators Woody, Metcalf and Fuller):

Clarifying laws regulating initiatives and referendums.

To Committee on State Government

SENATE BILL NO. 4025, by Senators Jones and Fleming:

Vacating Smith's Cove waterway.

To Committee on Natural Resources and Environmental Affairs

SENATE BILL NO. 4064, by Senators Lee and Talley:

Providing for annexation of "island" within sewer and water districts.

To Committee on Local Government

SENATE JOINT MEMORIAL NO. 110, by Senators Gallagher, Peterson and Conner:

Requesting federal funding of fish enhancement projects.

To Committee on Natural Resources and Environmental Affairs

MOTION

On motion of Mr. Hastings, the bills and the memorial listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 27, 1982

HOUSE BILL NO. 833, Prime Sponsor: Committee on Financial Institutions and Insurance, modifying provisions relating to savings and loan associations. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Sanders, Scott.

Not attending: Representatives Lux, Ranking Minority Member; Bond, Salatino.

Passed to Committee on Rules for second reading.

January 29, 1982

HOUSE BILL NO. 843, Prime Sponsor: Committee on State Government, modifying provisions relating to volunteer work on state park lands. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17 after "chapter." insert "These improvements shall be for the use of all members of the general public."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not signing report: Representative Hankins.

Passed to Committee on Rules for second reading.

January 27, 1982

HOUSE BILL NO. 848, Prime Sponsor: Committee on Human Services, modifying provisions relating to child welfare services. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, North, Padden, Pruitt, Stratton, Vander Stoep, Wang, Winsley.

Voting nay: Representatives King (J), Leonard.

Not attending: Representatives Fiske, Teutsch.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 874, Prime Sponsor: Representative Houchen, modifying provisions relating to the sentencing of criminal offenders. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

January 28, 1982

House Bill No. 956, Prime Sponsor: Committee on Local Government, requiring port district contracts for work and materials over \$30,000 to be by competitive bid. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Barrett, Brown, Burns, Chamberlain, Cole, James, Kreidler, Leonard, Stratton, Tilly, Van Dyken.

Voting nay: Representatives Hine, Ranking Minority Member; Berleen, North.

Not attending: Representative Garrett.

Passed to Committee on Rules for second reading.

January 29, 1982

HOUSE BILL NO. 957, Prime Sponsor: Committee on Local Government, modifying provisions on competitive bidding for counties. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Leonard, Tilly.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 966, Prime Sponsor: Committee on Institutions, modifying time limits for furloughs for residents of state correctional institutions. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 967, Prime Sponsor: Committee on Institutions, providing additional conditions for prisoners' leave of absence. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 968, Prime Sponsor: Committee on Institutions, defining correctional institutions that contain prisoners sentenced from other jurisdictions. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Voting nay: Representative Owen, Ranking Minority Member.

Passed to Committee on Rules for second reading.

January 28, 1982

HOUSE BILL NO. 980, Prime Sponsor: Committee on Human Services, modifying the energy allowance for public assistance recipients. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 26 strike "RCW 74.08.042" and insert "section 11, chapter 6, Laws of 1981 1st sess."

Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Houchen, King (J), North, Padden, Pruitt, Stratton, Vander Stoep, Wang, Winsley.

Not attending: Representatives Fiske, Leonard, Teutsch.

Passed to Committee on Rules for second reading.

January 29, 1982

HOUSE BILL NO. 1013, Prime Sponsor: Committee on Labor and Economic Development, establishing a limited small business innovators' opportunity program. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Hastings, the House adjourned until 9:30 a.m., Tuesday, February 2, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 2, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher and Owen. Representative Fancher was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michaelle Lipscomb and Tony Durado. Prayer was offered by The Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

February 1, 1982

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3033,
ENGROSSED SUBSTITUTE SENATE BILL NO. 3332,
ENGROSSED SUBSTITUTE SENATE BILL NO. 3549,
SENATE BILL NO. 4307,
SENATE BILL NO. 4493,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 36, by Representative Nelson (G):

Calling a Joint Session for distinguished Japanese.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 36 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was adopted.

HOUSE BILL NO. 1090, by Representatives Hastings and Struthers:

AN ACT Relating to class G and J alcoholic beverage retail licensees; and amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010.

To Committee on Labor and Economic Development

SECOND SUBSTITUTE SENATE BILL NO. 3033, by Committee on Energy and Utilities (originally sponsored Senators Goltz, Williams and Ridder):

Authorizing municipal corporation heating systems.

To Committee on Energy and Utilities

ENGROSSED SUBSTITUTE SENATE BILL NO. 3332, by Committee on Social and Health Services (originally sponsored by Senators Talley and Sellar):

Revising laws regulating physical therapy.

To Committee on Human Services

ENGROSSED SUBSTITUTE SENATE BILL NO. 3549, by Committee on Transportation (originally sponsored by Senator Metcalf):

Impounding vehicles driven by unlicensed drivers.

To Committee on Transportation

SENATE BILL NO. 4307, by Senators Guess and Hansen:

Modifying civil service provisions relating to state park rangers.

To Committee on State Government

SENATE BILL NO. 4493, by Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request):

Permitting justice courts to impose fines up to \$1000.

To Committee on Ethics, Law and Justice

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 1076 was rereferred from Committee on Ways and Means to Committee on Labor and Economic Development

On motion of Mr. Nelson (G), SENATE BILL NO. 4199 was rereferred from Committee on Human Services to Committee on Institutions.

REPORTS OF STANDING COMMITTEES

January 29, 1982

HOUSE BILL NO. 905, Prime Sponsor: Representative Wang, providing for joint child custody. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

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

Voting nay: Representative Bickham.

Not attending: Representative Winsley.

Passed to Committee on Rules for second reading.

January 29, 1982

HOUSE BILL NO. 1033, Prime Sponsor: Committee on Labor and Economic Development, modifying provisions relating to unemployment compensation. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Smith.

Not voting: Representative Brown.

Passed to Committee on Rules for second reading.

February 1, 1982

HOUSE BILL NO. 1066, Prime Sponsor: Committee on Institutions, modifying provisions relating to the criminal justice training commission. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 4 after "years))" insert "subject to the approval of the department of general administration."

Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Scott, Struthers, Van Dyken, Walk.

Not attending: Representative Nickell.

Passed to Committee on Rules for second reading.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

February 2, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 36,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 36.

MOTION

On motion of Mr. Hastings, the House advanced to the tenth order of business for a Joint Session.

JOINT SESSION

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

The Speaker instructed the Sergeant at Arms to escort Lieutenant Governor Cherberg, President of the Senate, President Pro Tem Guess and Vice President Pro Tem Clarke to the rostrum.

The Speaker invited the members of the Senate to seats within the House Chamber.

The Speaker: "This Joint Session is called for the purpose of welcoming to our state a distinguished delegation of members of Hyogo Prefectural Assembly in Japan."

The Speaker presented the gavel to President Cherberg.

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

The Clerk of the House called the roll of the House and all members were present except Representatives Fancher and Owen.

The President of the Senate appointed Senators Sellar, Rasmussen and Pullen and Representatives Burns, Isaacson, Eng and James to escort the State Elected Officials to seats within the House Chamber.

The President appointed Senators Patterson, Peterson, McCaslin, Lysen and Metcalf and Representatives Addison, Granlund, Bickham, Owen and Sprague to escort the distinguished Japanese dignitaries to the rostrum.

The President of the Senate appointed Senators Kiskaddon and Hansen and Representatives Schmidt and King (J) to escort Governor Spellman to the rostrum.

The President of the Senate appointed Senators Fuller and Gaspard and Representatives Sanders and O'Brien to escort the head of the Japanese delegation to the rostrum.

President Cherberg: "Mr. Speaker, Governor Spellman, elected state officials, ladies and gentlemen of the Legislature, I have the honor to present to you our distinguished guests from Japan: The Honorable Isami Hirazawa, Deputy Secretary-General; The Honorable Yoshio Yakubo, Board Member; The Honorable Yasutomo Inoue, The Honorable Tomio Sairyō, The Honorable Tadashi Kajimoto, The Honorable Masao Kokubo, The Honorable Kazuo Ishida, The Honorable Takeshi Ohta, The Honorable Kazushige Wada and Senior Foreign Affairs Specialist for the Hyogo Prefectural Government, The Honorable Yasutaro Takeuchi.

"Gentlemen, welcome to the State of Washington.

"The President should also like to present to you The Honorable Ichiji Ishii, Secretary General of the Japan-America Society and distinguished member of Hyogo Prefectural Assembly."

The President of the Senate introduced Governor John Spellman.

Governor Spellman: "Governor Cherberg, Speaker Polk, members of the Senate and House of Representatives, ladies and gentlemen: I discovered, when I went to Japan earlier this year, to speak in phrases and verse so that we may have the opportunity of translation. I'm giving our interpreter the opportunity to come forward to the microphone, and I will go somewhat slower than usual.

"It is a distinct pleasure for me to welcome our good friends of the Hyogo Prefectural Assembly and their goodwill delegation who honor us with their presence today under the auspices of the Japan-America Society of the Hyogo Prefectural Assembly. We regret that Speaker Nakabayashi was unable to be with us today, but we are very pleased Assemblyman

Ishii, the Secretary General of the Japan-America Society was able to lead the delegation. The state of Washington and the Hyogo Prefecture have been sister-states for more than eighteen years. It is among the oldest of relationships we have, and I feel that it is, perhaps, most certainly the most active. We have sister-state relations between not only Hyogo, but also many of the cities within Hyogo Prefecture with the state of Washington.

"The visit we made—Senators Benitz and Quigg, Representatives Sanders, Smith and myself—to Kobe in June was a real eye-opener. We found that we are very similar in climate (we were there in the rainy season), in the greenery and the natural evergreens rising from the ocean, and the view from the Portopia Hotel in Kobe showed us one of the world's most active ports—an active trading partner with the state of Washington. Awesome traffic—it was almost like an air-traffic control situation with the ships coming in and out of that very busy port. Ten thousand seagoing vessels a year in and out of the port.

"The Hyogo Prefecture and its port of Kobe is Japan's gateway to the world. We, in the state of Washington, hope with our ports to become the gateway to Japan and to the Pacific. Their manmade ports and the islands that attribute to being those ports are well worth observing. Portopia '81 was a remarkable demonstration of various technologies, and it was fitting that the state of Washington was the only state in the United States that participated with Japan and the port of Kobe in that awesome display of modern technology.

"Let me speak briefly of the benefits of the sister-state relationship which we have. Certainly, it starts with the personal contacts between the governmental leaders and the people of our two states getting to know each other better. We found that many people here and many people there have mutual relatives, mutual businesses, which makes for a strong and warm friendship.

"There are twenty-two of the cities in the state of Washington that have a sister-city relationship with various cities in Japan. Seattle and Kobe is one of the oldest, which is twenty-five years in existence this year, and if you were to go to Kobe, you would find a totem pole in downtown Kobe as you would find a stone pagoda in Mount Baker Park. Relationships have been good for decades, but they have never been better. We have greeted numerous delegations from Hyogo here in the last year and the Prime Minister of Japan met with me within the last two months. Japan has great faith in Washington's future. That faith in Washington's future was demonstrated only yesterday in the signing of the articles of agreement between the giant Marubeni Corporation of Japan and the state of Washington. It was preceded earlier this year with a similar agreement with the largest and oldest trading corporation in Japan, Mitsui. Those growing economic ties from this relationship have been demonstrated in every part of this state in the last year, but we have only begun to tap the future of the Pacific Rim. The world is coming to an acknowledgement of the fact that this is the century of the Pacific. Both Hyogo Prefecture and the state of Washington are very much in the 'catbird seat'—I think that translates into a key position—in terms of world trade and the opportunities as traders in that Century of the Pacific.

"Members of the Prefectural Goodwill Delegation, please convey warm wishes of friendship to my good friend, Governor Sakai, to Speaker Nakabayashi and to the people of Hyogo Prefecture. During your stay, make yourselves at home in Washington, and let it be your home away from home. Thank you."

President Cherberg introduced Speaker Polk.

Speaker Polk: "Governor Spellman, Mr. President, fellow legislators, distinguished and honored guests: I am certainly pleased and honored to introduce to you, and to extend our heartfelt welcome, to a distinguished legislative colleague from our sister-state in Japan, the Hyogo Prefecture. Mr. Ichiji Ishii has served his third four-year term in the Hyogo Prefectural Assembly and is also the Secretary General of the Japan-America Society of the Assembly. His visit marks the eighteenth anniversary of the unique sister-state relationship between his prefecture and our state of Washington, which, indeed, has contributed so much to the bonds, not only between our nations, but also between the people of the regions and localities which share remarkably similar characteristics, common goals and concerns.

"It is notable that of the twenty-two sister-cities in Japan, eight are located in the hills of Hyogo Prefecture, including Seattle's sister-city of Kobe, which is also Mr. Ishii's birthplace. The strong commitment to effect a productive international relation, which this reflects, is personified by our distinguished guest today. His involvement and achievement in furthering the excellent relationships we enjoy are impressive, indeed.

"In addition to his legislative responsibilities, Mr. Ishii is Executive Director of Kokusi-Shusho Company and Secretary of the Trade Committee of the Kobe Chamber of Commerce

and Industry as well as a board member of Prefectural Mutual Aid Association. We note also that Mr. Ishii's ties to the Pacific Northwest extend beyond the Washington border to the south. He is a graduate of the University of Oregon with a Master's Degree in Business Administration.

"Ladies and gentlemen, will you please join me in welcoming this remarkable individual and in greeting our close relatives in the family of nations: Mr. Ichiji Ishii."

Mr. Ishii: "It is our greatest honor and pleasure to be able to visit our American sister-state, Washington, at this time. We would like to express our sincere appreciation to Governor John Spellman, Lieutenant Governor John Cherberg, Speaker of the House William Polk, Senators, Representatives and all others whose kind cooperation and understanding made this trip possible.

"Our sense of honor and pleasure at this historic Legislative Hall of the state of Washington is even more exalted when I realize that our goodwill delegation represents not only the Hyogo Prefectural Assembly, but also the five million, two hundred thousand people of Hyogo Prefecture.

"The friendship between the United States and Japan originates in the Treaty of Peace and Amity signed in 1854 by the two countries. Therefore, with the exception of the tragic Pacific War, the history of our relations is almost 130 years old.

"However, the most impressive aspect of our friendship is not the length of its history, but the common framework of democracy and freedom through which the two nations have vested mutual trust in each other. We must be aware that the same common framework is the sustaining and strengthening force underlying our sister-state affiliation.

"Our sister-state affiliation is only nineteen years young, but it is gratifying to know that the relations have been expanding enormously through economic and industrial cooperation, exchange of visits and many programs which transcend the geographical and cultural differences and barriers.

"A recent memorable event in our sister-state affiliation was the visit to the Portopia Fair in 1981 by Governor Spellman, Senators Benitz, and Quigg and Representatives Sanders and Smith. We are grateful to these people and the state of Washington for their support of the Fair.

"Currently we have eight pairs of sister-state affiliations among the cities of Washington and Hyogo. They are: Seattle and Kobe; Spokane and Nishinomiya; Kent and Kaibara; Auburn and Kasuga; Renton and Nishiwaki; Walla Walla and Sasayama; Edmonds and Himeji; and Olympia and Yashiro.

"I'm sure that various programs of exchange and friendship in these sister-city affiliations will contribute significantly to the development and maintenance of peace, understanding, tolerance and mutual trust between the people of Washington and our people and even between the two countries.

"Again, thank you for this opportunity, and we hope to see you in Japan in the near future. Thank you."

The President of the Senate requested the special committee to escort Mr. Ishii from the House Chamber.

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

The President of the Senate requested the committee to escort the distinguished dignitaries of the Hyogo Prefectural Assembly from the House Chamber.

The President of the Senate requested the committee to escort the State Elected Officials from the House Chamber.

MOTION

On motion of Mr. Nelson (G), the Joint Session was dissolved.

President Cherberg returned the gavel to the Speaker.

The Speaker requested the Sergeants at Arms of the Senate and the House to escort President Cherberg, President Pro Tem Guess and Vice President Pro Tem Clarke and members of the Senate from the House Chamber.

MOTION

On motion of Mr. Nelson (G), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher and Eberle who were excused.

SECOND READING

HOUSE BILL NO. 842, by Committee on Natural Resources and Environmental Affairs and Representative Rosbach (by Department of Fisheries request):

Modifying provisions relating to crab fishing.

The bill was read the second time.

Committee on Natural Resources and Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 2, line 33 after "unchanged." insert "Upon request of a vessel owner, the director may issue a temporary permit to allow the vessel owner to use the license endorsement on a leased or rented vessel."

On motion of Ms. Rosbach, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 842, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Sanders.

Not voting: Representatives Bond, Brown, Chandler, Dawson, Eberle, Fancher, Martinis, Nelson D., Owen, Salatino, Thompson.

Engrossed House Bill No. 842, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 9, by Representatives Sanders, Bond, Clayton, Eberle and Isaacson:

Removing the prohibition against controlled directional oil drilling under Puget Sound.

The bill was read the second time.

Committee on Natural Resources and Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 1, line 16 after "mark" insert ": PROVIDED, HOWEVER, That nothing in this section shall prohibit state or local government from regulating or restricting controlled directional drilling through substantial development permits and master programs adopted and approved pursuant to this chapter"

On motion of Ms. Rosbach, the committee amendment was adopted.

Ms. Valle moved adoption of the following amendment:

On page 1, line 12 after "section strike "prohibits" and insert "shall allow"

POINT OF ORDER

Mr. Sanders: "This amendment violates Reed's Rule 159."

SPEAKER'S RULING

The Speaker: "Representative Sanders, having looked at the amendment and looked at the bill, I find that the bill states on line 12, 'Provided, That nothing in this section shall prohibit drilling...' and the amendment would turn it around and say 'nothing in this section shall allow....' Under Reed's Rule 159 that you have cited, it states, 'The insertion of the word "not" or the striking it out is not a proper amendment, since it does not change the question, but merely reverses the vote.' Therefore, I would rule that your point of order is well taken."

The Speaker called on Mr. Hastings to preside.

Ms. Valle moved adoption of the following amendment by Representatives Valle, Martinis and Gallagher:

On page 1, after line 16 add a new section as follows:

"NEW SECTION. Sec. 2. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Ms. Valle spoke in favor of the amendment, and Mr. Sanders spoke against it.

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

Representative Hine spoke in favor of the amendment.

Representatives Barnes and Isaacson spoke against the amendment, and Ms. Valle spoke again in favor of it.

Representatives Barnes and Sanders spoke again in opposition to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Valle, Martinis and Gallagher to page 1, line 16 of House Bill No. 9, and the amendment was adopted by the following vote: Yeas, 48; nays, 45; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Teutsch, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher, Schmidt, Thompson.

MOTION

Mr. Nelson (G), moved that further consideration of House Bill No. 9 be deferred.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that further action on House Bill No. 9 be deferred, and the motion was carried by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Valle, Walk, Wang, Warnke.

Not voting: Representatives Eberle, Fancher, Schmidt, Teutsch, Thompson.

HOUSE BILL NO. 857, by Representatives Vander Stoep, Fiske, Chamberlain, Addison, Johnson, Tupper, Garson, Berleen, Nickell, Nelson (G), Rosbach, Hastings, James, Williams, Taylor, Winsley and Barr:

Permitting audits by private accounting firms.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 857 was substituted for House Bill No. 857, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 857 was read the second time.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 857 was deferred.

HOUSE BILL NO. 865, by Committee on Appropriations - General Government and Representatives Williams, North and Stratton:

Appropriating funds for the establishment of a boat moorage fee program at selected state parks.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Williams spoke in favor of the bill, and Mr. Taylor spoke against it.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Erak.

Mr. Erak: "Representative Williams, can you tell me the total amount that will be transferred from the trust fund to the general fund? Is there a figure in there?"

Mr. Williams: "For the purpose of collecting the fees, \$75,000."

Mr. Erak: "The bill report shows \$172,000. Is the bill report off or is the figure misprinted in the bill itself?"

Mr. Williams: "For the purpose of implementing the bill, there would be \$75,000 transferred from the trust land purchase account to the general fund for the State Parks and Recreation Commission. In addition, there will be another \$172,000 collected in fees into the trust land purchase account in the general fund."

Mr. Erak spoke against the bill.

POINT OF INQUIRY

Ms. Rosbach yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Rosbach, policy matters before this body affecting parks and recreation are normally heard before your standing committee in public hearings and thrashed out. Was this issue heard before your committee?"

Ms. Rosbach: "The bill was reviewed by the Parks Department and it was going to be one of their legislative packages, but it was not addressed in our committee. It went directly to the Committee on Appropriations - General Government."

Representatives Sanders, Sprague and Lundquist spoke against passage of the bill, and Representatives North and Thompson spoke in favor of it.

POINT OF INQUIRY

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

Mr. Van Dyken: "Representative Williams, I have been informed by members of the boating community that all of the cost of current state parks, marine state parks, acquisition and operation is paid for by voters by a tax on fuels used by boaters. Can you confirm as to whether or not this is the case?"

Mr. Williams: "No, I cannot."

POINT OF INQUIRY

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

Mr. Van Dyken: "Representative Thompson, can you confirm or deny as to whether or not there is a special tax paid on fuels by boaters for the purpose of the operation and purchase of the marine state park system?"

Mr. Thompson: "Representative Van Dyken, unclaimed marine fuel tax is used for this purpose. It is not sufficient for this purpose, however, and unclaimed tax is from eastern Washington boaters and small boaters. The people who will pay this charge for moorage, for the most part will be large boat owners who are smart enough to know how to claim their tax, deprive the state of its use for this purpose, and do so."

Representatives Van Dyken and King (R) spoke against passage of the bill.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Williams, can you clarify for the body the intent of the Parks and Recreation Department as to what facilities these fees will apply? Specifically, tying up to docks and piers as opposed to established fees if they tie to buoys or to drop anchor?"

Mr. Williams: "The fees would not apply where you drop anchor or tie to a buoy. They only apply where you tie up. The fees would be implemented by the Parks and Recreation Commission."

Representatives Dawson and Granlund spoke in favor of passage of the bill.

MOTION

Mr. Erak moved that section 2 be struck from the bill.

SPEAKER'S RULING (MR. HASTINGS PRESIDING)

The Speaker (Mr. Hastings presiding): "Representative Erak, your motion is out of order. We are on third reading."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 865, and the bill passed the House by the following vote: Yeas, 55; nays, 38; not voting, 5.

Voting yea: Representatives Armstrong, Barnes, Becker, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Dawson, Ellis, Eng, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Heck, Hine, Houchen, Kaiser, Kreidler, Leonard, Lewis, Lux, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, O'Brien, Patrick, Pruitt, Rinehart, Rosbach, Rust, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Vander Stoep, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Barrett, Bender, Berleen, Bond, Cantu, Cole, Dickie, Ehlers, Erak, Garrett, Grimm, Hankins, Hastings, Isaacson, James, Johnson, King R., Lundquist, Martinis, McCormick, Nelson G. A., Owen, Padden, Prince, Salatino, Sanders, Scott, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Walk, Winsley.

Not voting: Representatives Amen, Eberle, Fancher, King J., Schmidt.

House Bill No. 865, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 837, by Committee on State Government and Representatives Addison, Johnson, Brown, Hankins, James, Greengo, Sprague, Salatino, Tupper, Nisbet, Tilly and Garson:

Providing incentive pay for state employees.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 837 was substituted for House Bill No. 837, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 837 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 837, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher, Schmidt.

Substitute House Bill No. 837, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 942, by Committee on Appropriations - General Government and Representatives Williams, Wang and Johnson:

Modifying the membership requirements on the commission on Asian-American affairs.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 942, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Eng, King R.

Not voting: Representatives Eberle, Fancher, Schmidt.

House Bill No. 942, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 878, by Select Committee on Deregulation and Productivity and Representatives Williams, Johnson, Hastings, Wang, Addison, James and Greengo:

Expanding the business license program including creating the business license center.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 878 was substituted for House Bill No. 878, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 878 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 878, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt,

Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher, Teutsch.

Substitute House Bill No. 878, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 857:

The House resumed consideration of the bill on second reading.

On motion of Ms. Galloway, the following amendment was adopted:

On page 2, line 16 after "auditor" insert ": PROVIDED, That the same independent public accounting firm shall not be authorized to perform audits for the same government entity for more than three consecutive audits"

On motion of Mr. Addison, the following amendment by Representatives Addison and Brown was adopted:

On page 2, line 8 after "fire district," insert "library district,"

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

On page 2, beginning on line 9 strike all after "firm" down through "18.04.290" on line 10 and insert "authorized under section 3 of this 1982 act"

On page 4, after line 3 add sections as follows:

"NEW SECTION. Sec. 3. There is added to chapter 18.04 RCW a new section to read as follows:

A person or firm is authorized to conduct examinations of financial affairs under RCW 43.09.260, as now or hereafter amended, only if the person or firm (1) holds a current permit under RCW 18.04.290; and (2) has passed the special examination required under section 4 of this act.

NEW SECTION. Sec. 4. There is added to chapter 18.04 RCW a new section to read as follows:

The board shall annually conduct a special examination designed to test the competency of persons or firms to conduct examinations of financial affairs under RCW 43.09.260, as now or hereafter amended. Only those persons or firms holding current permits under RCW 18.04.290 shall be permitted to take the examination. The board shall impose an examination fee not to exceed \$50.00 of all persons who take the examination. An annual fee of \$25.00 shall be paid to continue to be listed on the roster of firms to conduct examinations of financial affairs under the provisions of RCW 43.09.260 as now or hereafter amended."

On page 1, line 4 of the title strike "and"

On page 1, line 6 of the title after "43.09.280" and before the period insert "; and adding new sections to chapter 18.04 RCW"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 822, by Committee on Appropriations – General Government and Representative Williams:

Modifying the filing officer's duties and filing fees for amendments under Article 9 of the UCC.

The bill was read the second time.

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

On page 1, after line 18 insert the following:

"Section 1. Section 9–203, chapter 157, Laws of 1965 ex. sess. as amended by section 12, chapter 41, Laws of 1981 and RCW 62A.9–203 are each amended to read as follows:

(1) Subject to the provisions of RCW 62A.4–208 on the security interest of a collecting bank and RCW 62A.9–113 on a security interest arising under the Article on Sales, a security interest is not enforceable against the debtor or third parties with respect to the collateral and does not attach unless

(a) the collateral is in the possession of the secured party pursuant to agreement, or the debtor has signed a security agreement which contains a description of the collateral and in addition, when the security interest covers ((crops growing or to be grown or)) timber to be cut, a description of the land concerned; and

(b) value has been given; and

(c) the debtor has rights in the collateral.

(2) A security interest attaches when it becomes enforceable against the debtor with respect to the collateral. Attachment occurs as soon as all of the events specified in subsection (1) have taken place unless explicit agreement postpones the time of attaching.

(3) Unless otherwise agreed a security agreement gives the secured party the rights to proceeds provided by RCW 62A.9–306.

(4) A transaction, although subject to this Article, is also subject to chapters 31.04, 31.08, 31.12, 31.16, 31.20, and 31.24 RCW, and in the case of conflict between the provisions of this Article and any such statute, the provisions of such statute control. Failure to comply with any applicable statute has only the effect which is specified therein."

Renumber the sections consecutively and correct any internal references.

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

On page 1, after line 18 insert the following:

"Section 1. Section 9-301, chapter 157, Laws of 1965 ex. sess. as amended by section 15, chapter 41, Laws of 1981 and RCW 62A.9-301 are each amended to read as follows:

(1) Except as otherwise provided in subsection (2), an unperfected security interest is subordinate to the rights of

(a) persons entitled to priority under RCW 62A.9-312;

(b) a person who becomes a lien creditor before the security interest is perfected;

(c) in the case of goods, instruments, documents, and chattel paper, a person who is not a secured party and who is a transferee in bulk or other buyer not in ordinary course of business, or is a buyer of farm products in ordinary course of business, to the extent that he gives value and receives delivery of the collateral without knowledge of the security interest and before it is perfected;

(d) in the case of accounts and general intangibles, a person who is not a secured party and who is a transferee to the extent that he gives value without knowledge of the security interest and before it is perfected.

(2) If the secured party files with respect to a purchase money security interest before or within ~~(ten)~~ twenty days after the debtor receives possession of the collateral, he takes priority over the rights of a transferee in bulk or of a lien creditor which arise between the time the security interest attaches and the time of filing.

(3) A 'lien creditor' means a creditor who has acquired a lien on the property involved by attachment, levy or the like and includes an assignee for benefit of creditors from the time of assignment, and a trustee in bankruptcy from the date of the filing of the petition or a receiver in equity from the time of appointment.

(4) A person who becomes a lien creditor while a security interest is perfected takes subject to the security interest only to the extent that it secures advances made before he becomes a lien creditor or within forty-five days thereafter or made without knowledge of the lien or pursuant to a commitment entered into without knowledge of the lien.

Sec. 2. Section 9-312, chapter 157, Laws of 1965 ex. sess. as amended by section 22, chapter 41, Laws of 1981 and RCW 62A.9-312 are each amended to read as follows:

(1) The rules of priority stated in other sections of this Part and in the following sections shall govern when applicable: RCW 62A.4-208 with respect to the security interests of collecting banks in items being collected, accompanying documents and proceeds; RCW 62A.9-103 on security interests related to other jurisdictions; RCW 62A.9-114 on consignments.

(2) A perfected security interest in crops for new value given to enable the debtor to produce the crops during the production season and given not more than three months before the crops become growing crops by planting or otherwise takes priority over an earlier perfected security interest to the extent that such earlier interest secures obligations due more than six months before the crops become growing crops by planting or otherwise, even though the person giving new value had knowledge of the earlier security interest.

(3) A perfected purchase money security interest in inventory has priority over a conflicting security interest in the same inventory and also has priority in identifiable cash proceeds received on or before the delivery of the inventory to a buyer if

(a) the purchase money security interest is perfected at the time the debtor receives possession of the inventory; and

(b) the purchase money secured party gives notification in writing to the holder of the conflicting security interest if the holder had filed a financing statement covering the same types of inventory (i) before the date of the filing made by the purchase money secured party, or (ii) before the beginning of the twenty-one day period where the purchase money security interest is temporarily perfected without filing or possession (subsection (5) of RCW 62A.9-304); and

(c) the holder of the conflicting security interest receives the notification within five years before the debtor receives possession of the inventory; and

(d) the notification states that the person giving the notice has or expects to acquire a purchase money security interest in inventory of the debtor, describing such inventory by item or type.

(4) A purchase money security interest in collateral other than inventory has priority over a conflicting security interest in the same collateral or its proceeds if the purchase money security interest is perfected at the time the debtor receives possession of the collateral or within ~~(ten)~~ twenty days thereafter.

(5) In all cases not governed by other rules stated in this section (including cases of purchase money security interests which do not qualify for the special priorities set forth in subsections (3) and (4) of this section), priority between conflicting security interests in the same collateral shall be determined according to the following rules:

(a) Conflicting security interests rank according to priority in time of filing or perfection. Priority dates from the time a filing is first made covering the collateral or the time the security interest is first perfected, whichever is earlier, provided that there is no period thereafter when there is neither filing nor perfection.

(b) So long as conflicting security interests are unperfected, the first to attach has priority.

(6) For the purposes of subsection (5) a date of filing or perfection as to collateral is also a date of filing or perfection as to proceeds.

(7) If future advances are made while a security interest is perfected by filing or the taking of possession, the security interest has the same priority for the purposes of subsection (5) with respect to the future advances as it does with respect to the first advance. If a commitment is made before or while the security

interest is so perfected, the security interest has the same priority with respect to advances made pursuant thereto. In other cases a perfected security interest has priority from the date the advance is made.

Sec. 3. Section 9-313, chapter 157, Laws of 1965 ex. sess. as amended by section 23, chapter 41, Laws of 1981 and RCW 62A.9-313; are each amended to read as follows:

(1) In this section and in the provisions of Part 4 of this Article referring to fixture filing, unless the context otherwise requires

(a) goods are 'fixtures' when they become so related to particular real estate that an interest in them arises under real estate law;

(b) a 'fixture filing' is the filing in the office where a mortgage on the real estate would be filed or recorded of a financing statement covering goods which are or are to become fixtures and conforming to the requirements of subsection (5) of RCW 62A.9-402;

(c) a mortgage is a 'construction mortgage' to the extent that it secures an obligation incurred for the construction of an improvement on land including the acquisition cost of the land, if the recorded writing so indicates.

(2) A security interest under this Article may be created in goods which are fixtures or may continue in goods which become fixtures, but no security interest exists under this Article in ordinary building materials incorporated into an improvement on land.

(3) This Article does not prevent creation of an encumbrance upon fixtures pursuant to real estate law.

(4) A perfected security interest in fixtures has priority over the conflicting interest of an encumbrancer or owner of the real estate where

(a) the security interest is a purchase money security interest, the interest of the encumbrancer or owner arises before the goods become fixtures, the security interest is perfected by a fixture filing before the goods become fixtures or within ((ten)) twenty days thereafter, and the debtor has an interest of record in the real estate or is in possession of the real estate; or

(b) the security interest is perfected by a fixture filing before the interest of the encumbrancer or owner is of record, the security interest has priority over any conflicting interest of a predecessor in title of the encumbrancer or owner, and the debtor has an interest of record in the real estate or is in possession of the real estate; or

(c) the fixtures are readily removable factory or office machines or readily removable replacements of domestic appliances which are consumer goods, and before the goods become fixtures the security interest is perfected by any method permitted by this Article; or

(d) the conflicting interest is a lien on the real estate obtained by legal or equitable proceedings after the security interest was perfected by any method permitted by this Article.

(5) A security interest in fixtures, whether or not perfected, has priority over the conflicting interest of an encumbrancer or owner of the real estate where

(a) the encumbrancer or owner has consented in writing to the security interest or has disclaimed an interest in the goods as fixtures; or

(b) the debtor has a right to remove the goods as against the encumbrancer or owner. If the debtor's right terminates, the priority of the security interest continues for a reasonable time.

(6) Notwithstanding paragraph (a) of subsection (4) but otherwise subject to subsections (4) and (5), a security interest in fixtures is subordinate to a construction mortgage recorded before the goods become fixtures if the goods become fixtures before the completion of the construction. To the extent that it is given to refinance a construction mortgage, a mortgage has this priority to the same extent as the construction mortgage.

(7) In cases not within the preceding subsections, a security interest in fixtures is subordinate to the conflicting interest of an encumbrancer or owner of the related real estate who is not the debtor.

(8) When the secured party has priority over all owners and encumbrancers of the real estate, he may, on default, subject to the provisions of Part 5, remove his collateral from the real estate but he must reimburse any encumbrancer or owner of the real estate who is not the debtor and who has not otherwise agreed for the cost of repair of any physical injury, but not for any diminution in value of the real estate caused by the absence of the goods removed or by any necessity for replacing them. A person entitled to reimbursement may refuse permission to remove until the secured party gives adequate security for the performance of this obligation."

Renumber the remaining sections consecutively and correct any internal references accordingly.

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

On page 7, beginning on line 26 after "(1)" strike everything down to and including "whenever" on line 35 and insert "Whenever"

On motion of Mr. Ellis, the following amendment to the title was adopted:

On page 1, line 1 of the title after "transactions;" insert "amending section 9-203, chapter 157, Laws of 1965 ex. sess. as amended by section 12, chapter 41, Laws of 1981 and RCW 62A.9-203;"

On motion of Mr. Tilly, the following amendment to the title was adopted:

On page 1, line 1 of the title after "transactions;" insert "amending section 9-301, chapter 157, Laws of 1965 ex. sess. as amended by section 15, chapter 41, Laws of 1981 and RCW 62A.9-301; amending section 9-312, chapter 157, Laws of 1965 ex. sess. as amended by section 22, chapter 41, Laws of 1981 and RCW 62A.9-312; amending section 9-313, chapter 157, Laws of 1965 ex. sess. as amended by section 23, chapter 41, Laws of 1981 and RCW 62A.9-313;"

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Ellis, I notice that there is a dollar fee for a search request. This is a fee bill. My question is: How much does it actually cost to do the search? If there is an excess, where does that money go?"

Mr. Ellis: "Representative Ehlers, is your question as to why the removal of the dollar search fee?"

Mr. Ehlers: "Yes."

Mr. Ellis: "That is the fee they had in for what they call a 'nonstandard request.' Usually the request for information is made on one of the department forms and it's four or five dollars and I think this maybe raises it, but I'm not sure about that. It was just not worth fiddling with; they don't get that many nonconforming requests. I think it was more trouble to fiddle with the dollar fee than it was worth."

Mr. Ehlers: "We're now going to appropriate \$692,000. Is this going to be additional revenue? Are there additional fees you've dropped besides the one dollar?"

Mr. Ellis: "My understanding is that there are some adjustments in fees. I'd have to go through the bill section by section to indicate that, but it pays far more than the expenditures. I'm sorry I can't give it to you in detail."

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Ehlers.

Mr. Ehlers: "The question and concern I still have, and it's not really answered, is what happens to the excess in the fees that are collected? Where is that money going to go? It seems to me that the fee is rather large in comparison to the cost of doing the search and the other kinds of activities. The fee does not seem to represent the services provided, but seems to be substantially higher."

Mr. Williams: "Representative Ehlers, you will see on the fiscal note that the sum of \$1.5 million goes to the general fund of the state and the expenditures come out of that; therefore, any surplus goes into the state general fund."

Mr. Ehlers: "What is the difference between the fees being collected and the cost of service that is being provided to people who are using this service?"

Mr. Williams: "Approximately fifty percent. If you will notice your fiscal note, it does not show some of the costs in there, but it is approximately fifty percent."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 822, and the bill passed the House by the following vote: Yeas, 93; nays, 2, not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinchart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Garrett.

Not voting: Representatives Eberle, Fancher, Schmidt.

Engrossed House Bill No. 822, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 922, by Representatives Amen, Williams, Sommers, Greengo, Nelson (G), Struthers, Houchen, Thompson and Becker (by Legislative Budget Committee request):

Authorizing the parole board to reduce prison overcrowding.

The bill was read the second time. On motion of Ms. Houchen, Substitute House Bill No. 922 was substituted for House Bill No. 922, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 922 was read the second time.

On motion of Mr. Nelson (D) the following amendment by Representatives Nelson (D) and Houchen was adopted:

On page 2, beginning on line 2 strike "program" and insert "(program) set of guidelines which shall be applied to all inmates except those with mandatory minimums under RCW 9.95.040 or those confined for murder in the first degree, to implement subsection (1) of this section."

Representatives Nelson (D) and Becker spoke in favor of the amendment, and Mr. Owen spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nelson (D) and Houchen to Substitute House Bill No. 922, and the amendment was adopted by the following vote: Yeas, 80; nays, 14; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Ehlers, Ellis, Eng, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Tupper, Valle, Vander Stoep, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Dawson, Erak, Garrett, Grimm, Kaiser, McDonald, Owen, Schmidt, Scott, Stratton, Teutsch, Tilly, Walk, Wilson.

Not voting: Representatives Eberle, Fancher, Thompson, Van Dyken.

On motion of Ms. Houchen, the following amendment was adopted:

On page 2, line 8 after "to" insert "or below"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 9, by Representatives Sanders, Bond, Clayton, Eberle and Isaacson:

Removing the prohibition against controlled directional oil drilling under Puget Sound.

The House resumed consideration of the bill on second reading.

MOTION FOR RECONSIDERATION

Mr. Patrick, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Valle to page 1, line 16 was adopted.

POINT OF ORDER

Mr. Ehlers: "I don't believe he served notice at the appropriate time. There has been intervening business."

SPEAKER'S RULING (MR. HASTINGS PRESIDING)

The Speaker (Mr. Hastings presiding): "Representative Ehlers, your point of order is not well taken. There has been no action of consequence that has taken place since that time. There have been rulings in the past by other Speakers in this assembly to support this ruling."

MOTION

Mr. Nelson (G) moved that the House immediately consider House Bill No. 9.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House immediately consider House Bill No. 9, and the motion was carried by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins,

Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Wang, Warnke.

Not voting: Representatives Becker, Eberle, Fancher, Walk.

The Speaker (Mr. Hastings presiding) stated the question before the House to be the motion by Representative Patrick that the House reconsider the Valle amendment to page 1, line 16.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Valle amendment to House Bill No. 9 was adopted, and the motion was carried by the following vote: Yeas, 53; nays, 43; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Not voting: Representatives Eberle, Fancher.

The Speaker (Mr. Hastings presiding) stated the question before the House to be the reconsideration of adoption of the amendment by Representative Valle to page 1, line 16.

ROLL CALL

The Clerk called the roll on the reconsideration of adoption of the amendment by Representative Valle to page 1, line 16 of House Bill No. 9, and the amendment was adopted by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Addison, Armstrong, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Dickie, Flanagan, Greengo, Isaacson, Prince, Sanders, Struthers.

Not voting: Representatives Eberle, Fancher.

House Bill No. 9 was ordered engrossed and passed to Committee on Rules for third reading.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 268, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust):

Delaying vehicle license renewal until unpaid parking fines are paid.

The Speaker (Mr. Hastings presiding) stated the question before the House to be reconsideration of final passage of the bill.

Representatives Ellis, Barrett, Martinis, Greengo, Armstrong and Nelson (D) spoke in favor of passage of the bill, and Representatives Patrick, Leonard, James and Padden spoke against it.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Substitute House Bill No. 268, and the bill passed the House by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Barrett, Bond, Brekke, Brown, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Valle, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Bender, Berleen, Bickham, Burns, Cantu, Chamberlain, Clayton, Dickie, Galloway, Garrett, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, Lundquist, McDonald, Nelson G. A., Nickell, Nisbet, North, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Teutsch, Tilly, Tupper, Vander Stoep, Warnke, Williams, Wilson.

Not voting: Representatives Eberle, Fancher.

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

ENGROSSED HOUSE BILL NO. 554, by Representatives Burns, Eng, Maxie, Bender, Tupper and Isaacson:

Allowing cities or towns to borrow on expected revenues from utility projects.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 554, and the bill passed the House by the following vote: Yeas, 88; nays, 7; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brown, Clayton, Leonard, McDonald, Prince, Rosbach, Salatino.

Not voting: Representatives Eberle, Fancher, Stratton.

Engrossed House Bill No. 554, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 401, by Representatives Galloway, Vander Stoep, Bender and Heck:

Authorizing educational service districts to establish direct student service programs.

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

Representatives Galloway and Taylor spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 401, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher.

House Bill No. 401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 293, by Committee on Ethics, Law and Justice (originally sponsored by Representatives Patrick, Brown, Barr and Stratton):

Making prostitution involving a minor a class C felony.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 293, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher.

Substitute House Bill No. 293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 452, by Committee on Transportation (originally sponsored by Committee on Transportation and Representatives Martinis, North and Garrett):

Providing for city council members as members of the urban arterial board.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 452, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher.

Substitute House Bill No. 452, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 40, by Committee on Ethics, Law and Justice (originally sponsored by Representatives Barr, Prince, Amen, Hastings and Berleen):

Exempting small local governments from the Public Disclosure Act.

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

Mr. Barr spoke in favor of passage of the bill, and Representatives Ehlers and Rust spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 40, and the bill passed the House by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Lewis, Lundquist, McCormick, McGinnis, Mitchell, Nelson G. A., Nickell, North, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Teutsch, Tilly, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McDonald, Monohon, Nelson D., Nisbet, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Taylor, Thompson, Tupper, Valle, Walk, Wang.

Not voting: Representatives Eberle, Fancher.

Substitute House Bill No. 40, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 259, by Committee on State Government (originally sponsored by Representatives Brekke, Addison, Wang, Hankins, Nelson (D), Burns, Valle, Kreidler, Monohon, Rust, Pruitt and Ellis):

Providing plans for conserving paper resources by governmental agencies.

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

Representatives Brekke and McGinnis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 259, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher.

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

SUBSTITUTE HOUSE BILL NO. 58, by Committee on Local Government (originally sponsored by Representatives Owen, Nisbet, Brown, Berleen, Granlund, Hine and Garson):

Requiring only one copy of certain codes to be filed with local governments.

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

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 58, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Leonard.

Not voting: Representatives Eberle, Fancher, Monohon.

Substitute House Bill No. 58, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

ENGROSSED HOUSE BILL NO. 660, by Committee on Labor and Economic Development and Representatives Sanders, Clayton, Barr and Smith:

Modifying labor dispute disqualification for unemployment benefits.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 660, and the bill passed the House by the following vote: Yeas, 72; nays, 21; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ehlers, Ellis, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Rosbach, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Cole, Eng, Erak, Gallagher, Garrett, Kreidler, Lux, Maxie, Monohon, O'Brien, Pruitt, Rinehart, Rust, Scott, Stratton, Valle, Wang.

Not voting: Representatives Armstrong, Eberle, Fancher, Prince, Teutsch.

Engrossed House Bill No. 660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENTS FOR THE JOURNAL

I hereby declare that I would have voted "No" on Engrossed House Bill No. 660.

SETH ARMSTRONG, 36th District.

We believe that the voting machine may have malfunctioned on the vote on Final Passage of EHB 660. Our votes should have been recorded as "No."

DICK NELSON, 12th District.

RICHARD A. KING, 38th District.

ENGROSSED HOUSE BILL NO. 569, by Representatives Nickell, Patrick, Clayton, Struthers, Ellis and Hastings:

Redefining habitual criminal status.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 569, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Fancher.

Engrossed House Bill No. 569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

February 1, 1982

HOUSE BILL NO. 868, Prime sponsor: Representative Chamberlain, modifying distribution procedures of federal forest funds. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives James, Vice Chairman; Warnke, Ranking Minority Member; Barrett, Grimm, Heck, Salatino, Taylor, Teutsch.

Not attending: Representatives McDonald, Chairman; Eng, Fancher, Nelson (G).

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, February 3, 1982.

WILLIAM M. Polk, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FOURTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Wednesday, February 3, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ellis, Fancher and Garrett, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cara Kennedy and Zhan Johnson. Prayer was offered by The Reverend Wallace Misterek of the Trinity Lutheran Church of Olympia.

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

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1091, by Representatives Ellis, Warnke and Eberle (by Attorney General request):

AN ACT Relating to the utilities and transportation commission; rate proceedings of public service companies; authority of attorney general relating thereto; adding new sections to chapter 80.04 RCW; and making an appropriation.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1092, by Representatives Struthers, Hastings and McGinnis:

AN ACT Relating to the unfair cigarette sales act; amending section 1, chapter 286, Laws of 1957 as last amended by section 1, chapter 107, Laws of 1979 and RCW 19.91.010; amending section 14, chapter 286, Laws of 1957 as amended by section 15, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.140; amending section 15, chapter 286, Laws of 1957 as amended by section 16, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.150; amending section 18, chapter 286, Laws of 1957 as amended by section 17, chapter 278, Laws of 1975 1st ex. sess. and RCW 19.91.180; amending section 19, chapter 286, Laws of 1957 as last amended by section 2, chapter 107, Laws of 1979 and RCW 19.91.190; amending section 21, chapter 286, Laws of 1957 and RCW 19.91.910; and prescribing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1093, by Committee on Natural Resources and Environmental Affairs and Representatives Wilson, Granlund, Dawson and Lundquist:

AN ACT Relating to state leases of aquatic lands; and amending section 2, chapter 97, Laws of 1979 ex. sess. and RCW 79.01.525.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1094, by Representative Sherman:

AN ACT Relating to firewood; creating a new section; and prescribing penalties.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1095, by Committee on Revenue and Representative Chandler:

AN ACT Relating to property taxes; amending section 3, chapter 44, Laws of 1971 ex. sess. and RCW 84.40.360; adding a new section to chapter 84.36 RCW; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1096, by Committee on Agriculture and Representative Smith:

AN ACT Relating to hydroelectric and water supply projects; amending section 75.20.040, chapter 12, Laws of 1955 and RCW 75.20.040; amending section 75.20.060, chapter 12, Laws of 1955 and RCW 75.20.060; amending section 75.20.090, chapter 12, Laws of 1955 and RCW 75.20.090; amending section 77.16.210, chapter 36, Laws of 1955 as amended by section 88, chapter 78, Laws of 1980 and RCW 77.16.210; amending section 77.16.220, chapter 36, Laws of 1955 as amended by section 89, chapter 78, Laws of 1980 and RCW 77.16.220; and creating a new section.

To Committee on Agriculture

HOUSE BILL NO. 1097, by Committee on Labor and Economic Development and Representatives Sanders, King (J), Williams, Patrick, Amen, Nisbet, Tilly and Galloway (by Department of Employment Security request):

AN ACT Relating to employment security; amending section 8, chapter 35, Laws of 1945 as last amended by section 1, chapter 3, Laws of 1971 and RCW 50.04.070; amending section 8, chapter 266, Laws of 1959 as amended by section 3, chapter 3, Laws of 1971 and RCW 50.04.072; amending section 60, chapter 35, Laws of 1945 as last amended by section 1, chapter 142, Laws of 1980 and RCW 50.16-.010; amending section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010; adding new sections to chapter 50.12 RCW to be designated RCW 50.12.192, 50.12.194, and 50.12.196; adding a new section to chapter 50.16 RCW; adding a new section to chapter 50.24 RCW; creating a new section; making an appropriation; prescribing penalties; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Dawson, Williams, Galloway, Greengo, Tilly, King (J), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders:

Urging the state investment board to make investments to stimulate the state's economy.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 37 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), further consideration of House Concurrent Resolution No. 37 was deferred, and the resolution was ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 1, 1982

HOUSE BILL NO. 806, Prime Sponsor: Committee on Ways and Means, modifying the state debt limit. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, Nisbet, Thompson, Warnke.

Voting nay: Representatives McDonald, Williams.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

February 1, 1982

HOUSE BILL NO. 810, Prime Sponsor: Committee on Appropriations - General Government, expanding the authority of the department of General Administration as it pertains to state facilities. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon.

Not attending: Representatives Thompson, Ranking Minority Member; Rosbach.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 895, Prime Sponsor: Representative Hankins, eliminating the use of legal-size media by the state. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Sprague.

Voting nay: Representatives Walk, Ranking Minority Member; Rinehart, Rust.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 960, Prime Sponsor: Committee on State Government, authorizing fees for consulting services rendered by the office of archaeology and historic preservation. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 999, Prime Sponsor: Representative Fiske, authorizing island library districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 33 strike "and not all of the area of the county" and insert ", and not all of the area of the county,"

On page 2, line 35 after "thousand" insert "at the time the island library district was created"

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Burns, Chamberlain, Cole, Garrett, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Voting nay: Representative James.

Changing vote from nay to aye: Representative Berleen.

Not voting: Representatives Brown, Tilly.

Passed to Committee on Rules for second reading.

February 1, 1982

HOUSE BILL NO. 1017, Prime Sponsor: Representative Barrett, modifying the law on camping clubs. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barrett, Brekke, Brown, Clayton, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Voting nay: Representative Barr.

Not attending: Representatives Cole, Eberle.

Passed to Committee on Rules for second reading.

February 1, 1982

HOUSE BILL NO. 1058, Prime Sponsor: Committee on Labor and Economic Development, modifying provisions relating to the department of labor and industries. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 14, beginning on line 10 strike all material down to and including "19.30.900," on page 15, line 8

Renumber the remaining section accordingly.

On page 2, beginning on line 3 of the title after "49.12.180;" strike all material down to and including "19.30.900;" on line 23

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barrett, Brekke, Brown, Garrett, Lux, Monohon.

Voting nay: Representatives Barr, Clayton, Flanagan, Hankins, Smith.

Not attending: Representatives Cole, Eberle.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 751, by Committee on Ethics, Law and Justice and Representatives Tupper and Monohon:

Increasing the maximum salaries for part time justices of the peace.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 751 was substituted for House Bill No. 751, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 751 was read the second time.

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

On page 1, line 6 after "Section 1." insert "Section 11, chapter 299, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.020 are each amended to read as follows:

In each justice court district having a population of forty thousand or more but less than sixty thousand, there shall be elected one full time justice of the peace; in each justice court district having a population of sixty thousand but less than one hundred twenty-five thousand, there shall be elected two full time justices; in each justice court district having a population of one hundred twenty-five thousand but less than two hundred thousand, there shall be elected three full time justices; and in each justice court district having a population of two hundred thousand or more there shall be elected one additional full time justice for each additional one hundred thousand persons or fraction thereof: PROVIDED, That if a justice court district having one or more full time justices should change in population, for reasons other than change in district boundaries, sufficiently to require a change in the number of judges previously authorized to it, the change shall be made by the county commissioners without regard to RCW 3.34.010 as now or hereafter amended and shall become effective on the second Monday of January of the year following: PROVIDED FURTHER, That upon any redistricting of the county thereafter RCW 3.34.010, as now or hereafter amended, shall again designate the number of justices in the county: PROVIDED, That in a justice court district having a population of one hundred twenty thousand people or more adjoining a metropolitan county of another state which has a population in excess of five hundred thousand there shall be one full time justice in addition to the number otherwise allowed by this section and without regard to RCW 3.34.030 or resolution of the county commissioners: PROVIDED FURTHER, That the county commissioners may by resolution make a part time position a full time office ((if the district's population is not more than ten thousand less than the number required by this section for a full time justice of the peace)); PROVIDED FURTHER, That the county commissioners may by resolution provide for the election of one full time justice in addition to the number of full time justices authorized hereinbefore.

Sec. 2."

In line 1 of the title, after "peace;" insert "amending section 11, chapter 299, Laws of 1961 as last amended by section 2, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.020;"

On page 1, line 1 of the title after "to" strike "salaries of"

The bill was ordered engrossed.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 751, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Sanders, Tilly.

Not voting: Representatives Ellis, Fancher, Garrett, Lewis, Maxie.

Engrossed Substitute House Bill No. 751, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to change my vote on Engrossed Substitute House Bill No. 751 from "Aye" to "Nay."

MARGARET J. LEONARD, 3RD DISTRICT.

HOUSE BILL NO. 869, by Representatives Dawson and Johnson:

Authorizing school districts to issue bonds for purchase of pupil transportation vehicles.

The bill was read the second time. On motion of Mr. Taylor, Substitute House Bill No. 869 was substituted for House Bill No. 869, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 869 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. King (R).

Mr. King (R): "Representative Taylor, if a school district needs to buy twenty buses to replace defective equipment and they need twenty additional buses, how do you tell which bus is additional and which is replacement?"

Mr. Taylor: "Well, you have to purchase, if you have that kind of money, out of some other source of money, Representative King, so the funds are not comingled. They are accounted for separately so there would be a very real distinction. There would be no way a district could do that."

Mr. King (R): "There is a constitutional prohibition against using bonds to replace equipment. It was put there for a purpose."

Mr. Taylor: "This would not permit replacement of buses; it would be strictly for additional buses. There's no way they could do otherwise, Representative King."

Mr. King (R) spoke against passage of the bill, and Ms. Galloway spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 869, and the bill passed the House by the following vote: Yeas, 79; nays, 15; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Eng, Erak, Fiske, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Berleen, Clayton, Ehlers, Flanagan, James, Kaiser, King R., Kroidler, Leonard, Lux, Nelson D., Nickell, Pruitt.

Not voting: Representatives Ellis, Fancher, Garrett, Lewis.

Substitute House Bill No. 869, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Mr. Nelson (G) moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 751 passed the House.

The motion was carried.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 751 was returned to second reading.

On motion of Mr. Nelson (G), the House reconsidered the vote by which the amendment to line 1 of the title, striking "salaries of," was adopted, and the amendment was not adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 751 was placed on final passage.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed Substitute House Bill No. 751, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Eng, James, Leonard, Sanders, Tilly.

Not voting: Representatives Ellis, Fancher, Garrett, Lewis.

Engrossed Substitute House Bill No. 751, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 832, by Committee on Agriculture and Representative Padden:

Authorizing energy conservation programs by irrigation districts.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 832, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Garrett, Lewis.

House Bill No. 832, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 273, by Committee on Natural Resources and Environmental Affairs and Representatives Rosbach, Garrett and North:

Authorizing increases in the compensation paid members of the youth development and conservation corps.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 273, and the bill passed the House by the following vote: Yeas, 71; nays, 23; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Becker, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barrett, Berleen, Bond, Cantu, Clayton, Dickie, Eberle, Flanagan, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lewis, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Williams.

Not voting: Representatives Ellis, Fancher, Garrett, Tilly.

House Bill No. 273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I am requesting that my "Nay" vote on final passage of House Bill No. 273 be recorded as "Aye." Apparently there was a machine malfunction that recorded my "Aye" vote as "Nay."

JAMES M. LEWIS, 14TH District.

HOUSE BILL NO. 835, by Committee on State Government and Representatives Addison, Johnson, Nelson (G), Dickie, Brown, McGinnis, Eberle, Leonard, Hankins, Ellis, James, Greengo, King (J), Sprague, Salatino, Tupper, Nisbet, Garson, Barr and Armstrong:

Directing that statutes and administrative rules be written in simple, clear and concise language.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 835 was substituted for House Bill No. 835, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 835 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Addison spoke in favor of passage of the bill, and Mr. Nelson (D) spoke against it.

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Amen.

Mr. Amen: "Representative Addison, in section 5 it says, 'The Flesch reading ease score shall appear on the first page of the bill, resolution or memorial.' Would you explain to us who determines whether it is above 50 and how long it would take? How involved would this be?"

Mr. Addison: "The Flesch reading ease test would be programmed into the Code Reviser's Computer. We discussed this with them at length. It's really instantaneous, Representative Amen. The computer works at the speed of light and the bill would end up with the score printed at the top."

POINT OF INQUIRY

Mr. Addison yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Addison, did you intend to work with the Code Reviser's Office and other entities? Is this to be accomplished on a voluntary basis?"

Mr. Addison: "Yes, Representative Maxie, I think some people in the agencies are already doing this on a voluntary basis. The bill is rather permissive. It does not require that any passage meet any particular score. It only says 'when reasonable.' Reasonable is defined by either the head of the agency or by the author of the bill or resolution. What this really does is give us an opportunity to check up on those people who are operating in a good faith arrangement. I think this will give the legislature, through the bill and through the audit established in the bill through the Legislative Budget Committee, a process where we can start looking at the people who are not dealing in good faith and who are not trying to meet with what the intent of this is all about."

Ms. Maxie spoke against passage of the bill, stating that she would vote for it, and Mr. Wang spoke against it.

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Addison, you know in the past we have had a lot of legislation dealing with bill drafting—simplifying rules and that sort of thing. Always in the past, the Statute Law Committee has been involved in the testimony. Could you explain to me why,

either under the opponents or the proponents, there doesn't seem to be any testimony of the people from the Code Reviser's who are basically implementing this law?"

Mr. Addison: "Representative Ehlers, they did come in and testify before the State Government Committee and at some length. The discussion basically involved what techniques the Code Reviser is currently using to draft things into more readable language. They are making a good effort in this regard. This bill is an attempt to monitor the progress over a period of time as to how they are doing and how rules and regulations adopted by state agencies are doing. It's meant as a check and it doesn't do everything. It doesn't slice bread and it won't take you to the movies and back, but it will give us an opportunity in this body to check up and see how we are doing from time to time."

Mr. Ehlers: "In section 5 of this bill it says, 'All bills, resolutions and memorials introduced after the effective date of this act...' Representative Addison, would substitute bill in committee, which do not go through bill drafting in the Code Reviser's Office, amendments, substitute bills, striking amendments on the floor, also be required by law to have the test? It appears from the structure—and of course, I have difficulty reading that—would they be required to meet that test?"

Mr. Addison: "For the purpose of establishing legislative intent, no bills or amendments offered from the floor probably, reasonably, couldn't be anticipated to have the time to do that. The nice thing about using the Code Reviser's Office is that the computer is there and it's a very simple program to put into effect. I think we should agree that it be reasonable and not required on amendments offered on the floor."

Mr. Ehlers spoke against passage of the bill.

POINT OF INQUIRY

Mr. Addison yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Addison, will you tell us what score this bill got?"

Mr. Addison: "56."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 835, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Erak, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Lewis, Lundquist, Maxie, McDonald, McGinnis, Monohon, Nelson G. A., Nisbet, North, Owen, Patrick, Salatino, Sanders, Scott, Smith, Sommers, Sprague, Struthers, Taylor, Tupper, Vander Stoep, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Barrett, Becker, Bender, Brekke, Burns, Clayton, Cole, Ehlers, Eng, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, McCormick, Mitchell, Nelson D., Nickell, O'Brien, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Sherman, Stratton, Teutsch, Thompson, Tilly, Valle, Van Dyken, Wang, Wilson, Winsley.

Not voting: Representatives Ellis, Fancher, Garrett.

Substitute House Bill No. 835, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 932, by Committee on Agriculture and Representatives Hastings and Smith:

Deleting irrigation districts from application of certain laws relating to adverse possession.

The bill was read the second time. On motion of Mr. Smith, Substitute House Bill No. 932 was substituted for House Bill No. 932, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 932 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 932, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Padden.

Not voting: Representatives Ellis, Fancher, Garrett.

Substitute House Bill No. 932, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 864, by Committee on Ethics, Law and Justice and Representative Ellis:

Establishing a task force on court congestion.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 864, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Garrett.

House Bill No. 864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Vander Stoep, the House adjourned until 9:30 a.m., Thursday, February 4, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 4, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Mitchell presiding).

MESSAGES FROM THE SENATE

February 3, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3328,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4115,
ENGROSSED SENATE BILL NO. 4544,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 3, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 36,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1098, by Representatives Van Dyken, Becker, Fiske and Lundquist:

AN ACT Relating to review of adjustments to local government master programs; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04-.150; and adding new sections to chapter 90.58 RCW.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1100, by Representatives O'Brien, North and Stratton:

AN ACT Relating to watercraft; establishing requirements for boat registration, boating safety, and boat moorage; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; adding a new chapter to Title 88 RCW; adding a new section to chapter 88.12 RCW; and prescribing penalties.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1101, by Representatives King (J), Heck and Wang:

AN ACT Relating to the economic assistance authority; amending section 1, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.010; amending section 2, chapter 117, Laws of 1972 ex. sess. as amended by section 111, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31A.020; amending section 8, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.080; amending section 9, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.090; amending section 10, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.100; amending section 11, chapter 117, Laws of 1972 ex. sess. as amended by section 5, chapter 76, Laws of 1981 and RCW 43.31A.110; amending section 32, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.320; amending section 6, chapter 76, Laws of 1981 (uncodified); adding a new section to chapter 43.31A RCW; making an appropriation; providing an effective date; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1102, by Representatives Nelson (G), Martinis, Struthers, Scott, Monohon, Hastings and Owen:

AN ACT Relating to the control of gambling; amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020; amending section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110; and creating a new section.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1103, by Representatives Struthers, McCormick, Nisbet, Galloway, Lewis, Monohon, Gallagher and King (J):

AN ACT Relating to the establishment and operation of a state lottery; creating new sections; creating a new chapter in Title 67 RCW; adding a new section to chapter 9.46 RCW; providing penalties; providing for submission of this act to a vote of the people; and making an appropriation.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1104, by Representatives Van Dyken, Becker, Fiske and Lundquist:

AN ACT Relating to review of adjustments to local government master programs; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04-.150; adding a new section to chapter 90.58 RCW; and repealing section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1105, by Representatives King (J), Lewis, Heck, Becker, Wang, Hine, Fiske, Chandler, Armstrong and Brekke:

AN ACT Relating to social and health services; amending section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); making an appropriation; and declaring an emergency.

To Committee on Appropriations - Human Services

HOUSE BILL NO. 1106, by Representatives Berleen, Van Dyken, Owen and Valle:

AN ACT Relating to volunteer counselors for offenders; adding a new section to chapter 70.48 RCW; and adding new sections to chapter 72.01 RCW.

To Committee on Institutions

HOUSE BILL NO. 1108, by Representatives Lundquist and Fiske:

AN ACT Relating to public lands; and amending section 1, chapter 170, Laws of 1913 as last amended by section 2, chapter 105, Laws of 1967 ex. sess. and RCW 79.16.180.

To Committee on Local Government

HOUSE BILL NO. 1109, by Representatives Sommers, Greengo and King (J):

AN ACT Relating to the stabilization account; reenacting and amending section 43.88.020, chapter 8, Laws of 1965 as last amended by section 2, chapter 270, Laws of 1981 and by section 6, chapter 280, Laws of 1981 and RCW 43.88.020; amending section 3, chapter 280, Laws of 1981 and RCW 43.88.530; and adding a new section to chapter 43.88 RCW.

To Committee on Ways and Means

HOUSE BILL NO. 1110, by Representatives Greengo, King (J), Chandler, Heck, Leonard, Lux, Galloway, Vander Stoep and Rosbach:

AN ACT Relating to public depositories; amending section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440; amending section 1, chapter 6, Laws of 1951 and RCW 33.52.010; amending section 1, chapter 34, Laws of 1980 and RCW 35.39.041; amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 95, Laws of 1977 ex. sess. and RCW 39.58.010; amending section 2, chapter 193, Laws of 1969 ex. sess. as amended by section 10, chapter 126, Laws of 1973 and RCW 39.58.020; amending section 4, chapter 193, Laws of 1969 ex. sess. as amended by section 2, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.040; amending section 5, chapter 193, Laws of 1969 ex. sess. as last amended by section 3, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.050; amending section 6, chapter 193, Laws of 1969 ex. sess. as amended by section 12, chapter 126, Laws of 1973 and RCW 39.58.060; amending section 10, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.100; amending section 5, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.105; amending section 6, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.108; amending section 13, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.130; amending section 43.85.010, chapter 8, Laws of 1965 as last amended by section 7, chapter 77, Laws of 1975 1st ex. sess. and RCW 43.85.010; amending section 43.85.020, chapter 8, Laws of 1965 and RCW 43.85.020; amending section 43.85-.210, chapter 8, Laws of 1965 and RCW 43.85.210; amending section 43.85.230, chapter 8, Laws of 1965 and RCW 43.85.230; amending section 1, chapter 230, Laws of 1969 ex. sess. and RCW 43.85-.250; amending section 2, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.260; amending section 1, chapter 123, Laws of 1973 and RCW 43.86A.010; amending section 15, chapter 103, Laws of 1959 as last amended by section 3, chapter 24, Laws of 1981 and RCW 56.16.160; amending section 16,

chapter 108, Laws of 1959 as last amended by section 4, chapter 24, Laws of 1981 and RCW 57.20-.160; adding a new section to chapter 39.58 RCW; repealing section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1111, by Representatives Burns, Rust, Eng, Sherman, Grimm, Nelson (D), King (R), Rinehart and Hine:

AN ACT Relating to tuition, operating and services and activities fees at state institutions of higher education; amending section 6, chapter 257, Laws of 1981 and RCW 28B.15.202; amending section 7, chapter 257, Laws of 1981 and RCW 28B.15.402; and amending section 8, chapter 257, Laws of 1981 and RCW 28B.15.502.

To Committee on Higher Education

HOUSE BILL NO. 1112, by Committee on Institutions and Representative Houchen:

AN ACT Relating to criminal justice; repealing section 1, chapter 79, Laws of 1979, section 9, chapter 213, Laws of 1981 and RCW 43.06.300; repealing section 2, chapter 79, Laws of 1979 and RCW 43.06-.310; repealing section 3, chapter 79, Laws of 1979 and RCW 43.06.320; repealing section 4, chapter 79, Laws of 1979 and RCW 43.06.330; and repealing section 5, chapter 79, Laws of 1979 and RCW 43.06.340.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1113, by Committee on Natural Resources and Environmental Affairs and Representative Wilson:

AN ACT Relating to agricultural activities; amending section 1, chapter 122, Laws of 1979 and RCW 7.48.300; amending section 2, chapter 122, Laws of 1979 and RCW 7.48.305; and amending section 3, chapter 122, Laws of 1979 and RCW 7.48.310.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1114, by Committee on Local Government and Representatives Van Dyken and Isaacson:

AN ACT Relating to local government authority over streets and roads; and creating a new chapter in Title 47 RCW.

To Committee on Local Government

HOUSE BILL NO. 1115, by Committee on Revenue and Representative Wang:

AN ACT Relating to local government taxation; and amending section 14, chapter 236, Laws of 1967 as last amended by section 5, chapter 222, Laws of 1979 ex. sess. and RCW 67.28.210.

To Committee on Revenue

HOUSE BILL NO. 1116, by Committee on Labor and Economic Development and Representatives Patrick, King (J), Barrett, Armstrong, Sanders and Johnson:

AN ACT Relating to port districts; and amending section 1, chapter 265, Laws of 1957 as last amended by section 1, chapter 76, Laws of 1979 and RCW 53.36.100.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1117, by Committee on Labor and Economic Development and Representatives Sanders, King (J), Williams, Patrick and Johnson (by Department of Employment Security request):

AN ACT Relating to the employment security department; making an appropriation; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1118, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Wang:

AN ACT Relating to damaging or removing political yard-signs or billboards; adding a new section to chapter 29.85 RCW; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1119, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Salatino:

AN ACT Relating to reporting shifts in campaign funds; and amending section 9, chapter 1, Laws of 1973 as last amended by section 2, chapter 336, Laws of 1977 ex. sess. and RCW 42.17.090.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1120, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Wang:

AN ACT Relating to reporting continuing compensation arrangements and personal service contracts; and adding a new section to chapter 42.17 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1121, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund and Ellis:

AN ACT Relating to legislators' reports of contracts with state agencies; and adding a new section to chapter 42.17 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1122, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis, Salatino and Wang:

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

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1123, by Committee on Labor and Economic Development and Representative Berleen:

AN ACT Relating to jukeboxes; and amending section 1, chapter 139, Laws of 1981 and RCW 9.46.020.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1124, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund and Ellis:

AN ACT Relating to state employees attending fund-raisers for political parties during legislative sessions; and adding a new section to chapter 44.60 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1125, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis, Salatino and Wang:

AN ACT Relating to fund-raising activities for individuals during legislative sessions; and adding a new section to chapter 42.17 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1126, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Wang:

AN ACT Relating to legislators' disclosure of conflicts of interest; and adding a new section to chapter 44.60 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1127, by Committee on Labor and Economic Development and Representative Sanders:

AN ACT Relating to industrial insurance; amending section 3, chapter 107, Laws of 1961 as last amended by section 15, chapter 111, Laws of 1979 and RCW 51.08.013; amending section 51.08.070, chapter 23, Laws of 1961 as last amended by section 1, chapter 128, Laws of 1981 and RCW 51.08.070; amending section 51.08.180, chapter 23, Laws of 1961 as last amended by section 2, chapter 128, Laws of 1981 and RCW 51.08.180; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 3, chapter 128, Laws of 1981 and RCW 51.12.020; amending section 51.28.050, chapter 23, Laws of 1961 and RCW 51.28.050; amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 54, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.190; and adding a new section to chapter 51.12 RCW.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1128, by Committee on Ethics, Law and Justice and Representatives Ellis and Van Dyken:

AN ACT Relating to unclaimed property; enacting the Uniform Unclaimed Property Act of 1982; creating new sections; adding new sections as a new chapter in Title 63 RCW; repealing section 1, chapter 385, Laws of 1955, section 27, chapter 26, Laws of 1967 ex. sess., section 6, chapter 107, Laws of 1979 and RCW 63.28.070; repealing section 2, chapter 385, Laws of 1955, section 1, chapter 59, Laws of 1975-'76 2nd ex. sess., section 1, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.080; repealing section 3, chapter 385, Laws of 1955, section 2, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.090; repealing section 4, chapter 385, Laws of 1955, section 3, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.100; repealing section 5, chapter 385, Laws of 1955 and RCW 63.28.110; repealing section 6, chapter 385, Laws of 1955 and RCW 63.28.120; repealing section 7, chapter 385, Laws of 1955, section 4, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.130; repealing section 8, chapter 385, Laws of 1955, section 5, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.140; repealing section 9, chapter 385, Laws of 1955, section 1, chapter 11, Laws of 1955 ex. sess., section 6, chapter 1, Laws of 1981 2nd ex. sess. and RCW 63.28.150; repealing section 10, chapter 385, Laws of 1955 and RCW 63.28.160; repealing section 11, chapter 385, Laws of 1955 and RCW 63.28.170; repealing section 12, chapter 385, Laws of 1955 and RCW 63.28.180; repealing section 13, chapter 385, Laws of 1955 and RCW 63.28.190; repealing section 14, chapter 385, Laws of 1955 and RCW 63.28.200; repealing section 15, chapter 385, Laws of 1955 and RCW 63.28.210; repealing section 16, chapter 385, Laws of 1955 and RCW 63.28.220; repealing section 1, chapter 117, Laws of 1979 ex. sess. and RCW 63.28.225; repealing section 17, chapter 385, Laws of 1955 and RCW 63.28.230; repealing section 18, chapter 385, Laws of 1955 and RCW 63.28.240; repealing section 19, chapter 385, Laws of 1955 and RCW 63.28.250; repealing section 20, chapter 385, Laws of 1955 and RCW 63.28.260; repealing section 21, chapter 385, Laws of 1955 and RCW 63.28.270; repealing section 22, chapter 385, Laws of 1955 and RCW 63.28.280; repealing section 23, chapter 385, Laws of 1955 and RCW 63.28.290; repealing section 24, chapter 385, Laws of 1955 and RCW 63.28.300; repealing section 25, chapter 385, Laws of 1955 and RCW 63.28.310; repealing section 26, chapter 385, Laws of 1955 and RCW 63.28.320; repealing section 27, chapter 385, Laws of 1955 and RCW 63.28.330; repealing section 28, chapter 385, Laws of 1955 and RCW 63.28.340; repealing section 29, chapter 385, Laws of 1955 and RCW 63.28.350; repealing section 1, chapter 289, Laws of 1959, section 4, chapter 28, Laws of 1975 1st ex. sess. and RCW 63.28.360; repealing section 32, chapter 385, Laws of 1955 and RCW 63.28.900; repealing section 31, chapter 385, Laws of 1955 and RCW 63.28.910; repealing section 30, chapter 385, Laws of 1955 and RCW 63.28.920; prescribing penalties; and making an effective date.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1129, by Committee on Education and Representatives Amen, Armstrong, Taylor and Johnson (by State Board of Education request):

AN ACT Relating to the state board of education; amending section 28A.04.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.090; amending section 28A.03.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 249, Laws of 1981 and RCW 28A.03.030; and amending section 28A.04.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.100.

To Committee on Education

HOUSE JOINT MEMORIAL NO. 22, by Committee on Ways and Means and Representatives Chandler, Williams and Johnson:

Requesting passage of an enterprise zone act.

To Committee on Ways and Means

SUBSTITUTE SENATE BILL NO. 3328, by Committee on State Government (originally sponsored by Senators Fleming, Jones, Bottiger, Hayner, Talley, Peterson, Sellar, Shinpoch and Clarke):

Creating the legislative facilities committee to provide legislative control over legislative buildings.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4115, by Committee on Financial, Institutions and Insurance (originally sponsored by Senators Sellar and Wojahn):

Revising laws relating to international banking facilities.

To Committee on Financial Institutions and Insurance

ENGROSSED SENATE BILL NO. 4544, by Senators von Reichbauer, Vognild and Benitz:

Permitting the department of licensing to supply lists of vehicle owners for certain purposes.

To Committee on Transportation

MOTION

On motion of Mr. Nelson (G), the bills and the memorial listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 1, 1982

HOUSE BILL NO. 849, Prime Sponsor: Representative Taylor, making miscellaneous changes in laws relating to education. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Dickie, Ellis, Eng, Galloway, Hine, James, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Voting nay: Representative Cantu.

Not attending: Representative Eberle.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 888, Prime Sponsor: Representative Nickell, making general election ballots uniform. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 890, Prime Sponsor: Representative Dawson, raising minimum bidding requirements for fire districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Brown, Tilly.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 900, Prime Sponsor: Committee on Agriculture, modifying bread weight standards. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Fiske, Gallagher, Hastings, Lux, Padden, Prince, Sommers.

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

Voting nay: Representatives Amen, Kaiser.

Not attending: Representatives Ehlers, Fancher, Lux.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 920, Prime Sponsor: Representative Hankins, establishing an occupational information service. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 941, Prime Sponsor: Representative McGinnis, establishing an office of information systems. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; McGinnis.

MINORITY recommendation: Do not pass. Signed by Representatives King (R), Ranking Minority Member; Monohon.

Rereferred to Committee on Appropriations - General Government

February 3, 1982

HOUSE BILL NO. 947, Prime Sponsor: Representative Fancher, changing maximum cattle assessments. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, at the beginning of line 8 strike "(1)"

On page 1, beginning on line 13 after "director)" strike all material through "head" on line 18 and insert ~~"(finds, after a hearing held in accordance with the Administrative Procedure Act, chapter 34.04 RCW, which shall be held at least sixty days prior to July 1, 1977, that the assessment should be otherwise, but in no instance may such assessment exceed twenty cents per head))"~~

On page 2, beginning on line 1 strike all of subsection (2)

Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Fiske, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Ehlers, Fancher.

Passed to Committee on Rules for second reading.

February 2, 1982

HOUSE BILL NO. 1024, Prime sponsor: Representative McGinnis, requiring the use of sheltered workshops for printing services for state agencies and departments under certain circumstances. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; King (R), Ranking Minority Member; McGinnis, Monohon.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 1036, Prime Sponsor: Committee on Higher Education, implementing law relating to vendor payments by treasurer for state board for community college education. Reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Teutsch, Chairwoman; Prince, Vice Chairman; Burns, Ranking Minority Member; Barnes, Greengo, King (R), Rust, Sherman, Tupper.

Voting nay: Representative Isaacson.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, February 5, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-SIXTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, February 5, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Hastings presiding). The Clerk called the roll and all members were present except Representatives Ellis, Fancher, Johnson and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sara Smith and Michael Klein. Prayer was offered by The Reverend Leo Charles Brown, Jr., Pastor of True Vine Community Church of Tacoma.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1099, by Committee on Appropriations – General Government and Representative Williams:

AN ACT Relating to fire protection of forest lands; amending section 1, chapter 102, Laws of 1977 ex. sess. as amended by section 1, chapter 171, Laws of 1981 and RCW 76.04.360; and amending section 8, chapter 207, Laws of 1971 ex. sess. as last amended by section 1, chapter 28, Laws of 1981 and RCW 76.04.515.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1107, by Representatives Schmidt, Wilson, Lundquist, Owen, James, Houchen, Nisbet and Bond:

AN ACT Relating to the ferry system; amending section 47.64.010, chapter 13, Laws of 1961 as last amended by section 1, chapter 344, Laws of 1981 and RCW 47.64.010; amending section 2, chapter 344, Laws of 1981 and RCW 47.64.031; amending section 3, chapter 344, Laws of 1981 and RCW 47.64.100; amending section 7, chapter 344, Laws of 1981 and RCW 41.06.166; adding new sections to chapter 47.64 RCW; repealing section 7, chapter 344, Laws of 1981 and RCW 41.06.166; repealing section 47.64.040, chapter 13, Laws of 1961, section 35, chapter 296, Laws of 1975 1st ex. sess., section 1, chapter 73, Laws of 1979 ex. sess. and RCW 47.64.040; repealing section 4, chapter 344, Laws of 1981 and RCW 47.64.110; declaring an emergency; and providing an effective date.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1130, by Representatives Nickell, Becker, Martinis, Vander Stoep, Patrick, Clayton and Nelson (G):

AN ACT Relating to uniform crime reports; creating new sections; and making an appropriation.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1131, by Representatives Flanagan and Smith:

AN ACT Relating to commercial feed; amending section 2, chapter 31, Laws of 1965 ex. sess. as amended by section 3, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.901; amending section 4, chapter 31, Laws of 1965 ex. sess. as amended by section 4, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.9014; amending section 6, chapter 31, Laws of 1965 ex. sess. as last amended by section 17, chapter 297, Laws of 1981 and RCW 15.53.9018; amending section 7, chapter 31, Laws of 1965 ex. sess. as amended by section 2, chapter 154, Laws of 1979 and RCW 15.53.902; and amending section 16, chapter 31, Laws of 1965 ex. sess. as amended by section 7, chapter 257, Laws of 1975 1st ex. sess. and RCW 15.53.9038.

To Committee on Agriculture

HOUSE BILL NO. 1132, by Representative Warnke:

AN ACT Relating to school directors; and amending section 3, chapter 10, Laws of 1972 ex. sess. as last amended by section 1, chapter 16, Laws of 1981 and RCW 28A.58.100.

To Committee on Education

HOUSE BILL NO. 1133, by Committee on Labor and Economic Development and Representative Sanders (by Public Employment Relations Commission request):

AN ACT Relating to unfair labor practice procedures; amending section 3, chapter 215, Laws of 1969 ex. sess. as amended by section 24, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.160; amending section 4, chapter 215, Laws of 1969 ex. sess. as amended by section 25, chapter 296, Laws of 1975 1st ex. sess. and RCW 41.56.170; and amending section 16, chapter 288, Laws of 1975 1st ex. sess. and RCW 41.59.150.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1134, by Committee on Local Government and Representative Lundquist:

AN ACT Relating to the division of land; amending and reenacting section 2, chapter 271, Laws of 1969 ex. sess. as amended by section 1, chapter 292, Laws of 1981 and by section 2, chapter 293, Laws of 1981 and RCW 58.17.020; amending and reenacting section 4, chapter 271, Laws of 1969 ex. sess. as last amended by section 2, chapter 292, Laws of 1981 and by section 3, chapter 293, Laws of 1981 and RCW 58.17.040; amending section 14, chapter 271, Laws of 1969 ex. sess. as last amended by section 7, chapter 293, Laws of 1981 and RCW 58.17.140; amending section 15, chapter 271, Laws of 1969 ex. sess. as amended by section 8, chapter 293, Laws of 1981 and RCW 58.17.150; and amending section 18, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.180.

To Committee on Local Government

MOTIONS

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-112, by Representatives Granlund, Dawson, Salatino, Wang, Gallagher, Brown, Grimm, Walk, Winsley, Johnson, Ehlers, Kaiser and Maxie:

WHEREAS, We, the members of the House of Representatives, feel honored to designate February 6, 1982, as "REVEREND LEO CHARLES BROWN, JR. DAY" in recognition of his spiritual and civic contributions to the people of the city of Tacoma, the county of Pierce, and the state of Washington; and

WHEREAS, The Reverend Leo Charles Brown, Jr. has devoted his life to the improvement of the social and economic conditions of minority and disadvantaged persons; and

WHEREAS, This man is unique in his style of providing Christian leadership which directly involves the church in attempting to solve the very complex and difficult social problems which face this state and nation; and

WHEREAS, This man has overcome numerous and powerful barriers to establish programs for men and women offenders, for low-income senior citizens, for disadvantaged children, and for other oppressed persons; and

WHEREAS, The Reverend Leo Charles Brown, Jr. personifies qualities which are basic and dear to the people of this state and this nation, these qualities being succinctly summarized in his motto, "Where there is no vision, the people perish";

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the state of Washington, pause in our endeavors to designate February 6, 1982, as "REVEREND LEO CHARLES BROWN, JR. DAY" to call attention to the achievements of this man and to those American values and qualities which he so clearly and consistently expresses.

On motion of Ms. Granlund, the resolution was adopted.

The Speaker introduced Reverend Brown and he briefly addressed the House.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 3, 1982

ENGROSSED HOUSE BILL NO. 457, Prime Sponsor: Committee on Transportation, revising common carrier requirements. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garson, Hankins, McCormick, Owen, Prince, Schmidt, Smith, Sprague, Walk.

Not signing report: Representatives Clayton, Vice Chairman; Patrick, Sherman.

Not attending: Representatives Eberle, Garrett, Lundquist, Owen.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 828, Prime Sponsor: Representative Tilly, continuing compensation for crime victims. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang, Winsley.

Voting nay: Representative Padden, Vice Chairman.

Not attending: Representatives Ellis, Chairman; Armstrong, Patrick, Schmidt.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 870, Prime sponsor: Representative Padden, providing for confinement of juveniles in group homes. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Berleen, Nickell, Struthers, Van Dyken.

Voting nay: Representatives Owen, Ranking Minority Member; Granlund, Walk.

Not attending: Representative Scott.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 892, Prime Sponsor: Committee on Financial Institutions and Insurance, clarifying the laws governing underinsured motor vehicle coverage. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Bond, Dickie, King (R), McGinnis, Monohon, Nisbet, Rosbach, Sanders.

Voting nay: Representatives Lux, Ranking Minority Member; Eng.

Not attending: Representatives Bond, Salatino, Scott.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 898, Prime Sponsor: Representative Brown, prohibiting carrying firearms or dangerous weapons onto school premises. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Pruitt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Ellis, Chairman; Armstrong, Patrick, Schmidt.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 936, Prime Sponsor: Committee on Financial Institutions and Insurance, providing for reorganization to form a bank holding company. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman;

Lux, Ranking Minority Member; Bond, Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 985, Prime Sponsor: Representative Mitchell, extending a B&O tax deduction to certain nonprofit health or social welfare services. Reported by Committee on Rules.

Rereferred from Committee on Human Services to Committee on Revenue.

February 2, 1982

HOUSE BILL NO. 1014, Prime Sponsor: Representative Eberle, delineating restrictions on taxing powers of counties, cities, and towns. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; King (R), Ranking Minority Member; McGinnis.

Not attending: Representative Monohon.

Passed to Committee on Rules for second reading.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 799, by Committee on State Government (originally sponsored by Representatives Mitchell and Gruger):

Transferring the responsibilities of the state commission for the blind to the department of social and health services.

The bill was read the second time.

Mr. Nelson (D) moved adoption of the following amendments by Representatives Nelson (D), Garson, Walk and Pruitt:

On page 3, beginning on line 27 strike all material down to and including "services." on page 4, line 15.

On page 4, after line 15 insert the following:

***NEW SECTION.** Sec. 6. (1) There is hereby created a state advisory committee which shall serve in an advisory capacity on matters related to state programs for the blind and visually handicapped. The committee shall be composed of five members of whom at least three shall be blind or visually handicapped. Committee members shall be residents of the state of Washington and insofar as possible shall be selected on the basis of giving geographic representation throughout the state. No member shall be an employee of the department.

(2) The governor shall appoint members of the committee for terms of three years, except that the initial appointment shall be as follows: (a) Two members for terms of three years; (b) two members for terms of two years; and (c) one member for a term of one year. Vacancies in the membership of the committee shall only be filled for the remainder of the unexpired term.

(3) Committee members shall elect one of their members as chairperson of the committee for a term of one year or until a successor has been elected. The committee chairperson shall preside over meetings to be held at least once every quarter on such date and at such place as may be set by the committee. In addition, a majority of the committee may require such special meetings as may be necessary.

(4) Committee members shall not receive a salary, but shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

***NEW SECTION.** Sec. 7. The state advisory committee shall have the following powers and duties:

(1) To serve in an advisory capacity to the governor and secretary of the department of social and health services on all matters pertaining to state programs for the blind and visually handicapped.

(2) To make recommendations to the governor and secretary of the department of social and health services on the choice of director of the blind and visually handicapped programs."

Reumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Nelson (D) and Mitchell spoke in favor of the amendments, and Ms. Berleen spoke against them.

The amendments were adopted.

Substitute House Bill No. 799 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 790, by Representatives Clayton and James:

Implementing emergency provisions relating to employment of school district certificated personnel.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 790 was substituted for House Bill No. 790 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 790 was read the second time.

Mr. Dickie moved adoption of the following amendment by Representatives Dickie and Galloway:

Beginning on page 6 strike all of sections 6, 7 and 8 and renumber the remaining sections consecutively.

Mr. Dickie spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Dickie yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Dickie, it's my understanding that you wanted to change the July 1st date back to May 15th as it is in current statute, but doesn't your amendment strike existing law?"

Mr. Dickie: "If it does, Representative Sanders, that was not my intent. I had my staff draft this to remove just those dates. This should return it to the old dates."

The amendment was adopted.

The Clerk read the following amendment by Representatives Salatino, Monohon, Tupper, Brown, Warnke and Winsley:

On page 7, section 6, beginning on line 29 after "or before" strike "~~(May 15th)~~ July 1st" and insert "May 15th"

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

On motion of Mr. Sanders, the following amendment to the title was adopted:

On page 1, line 17 of the title after "28A.67.070;" strike everything down to and including "RCW 28A.67.073;" on line 20 and insert "amending section 18, chapter 34, Laws of 1969 ex. sess. as last amended by section 8, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.58.515;"

Substitute House Bill No. 790 was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker (Mr. Hastings presiding) called on Mr. Nelson (G) to preside.

HOUSE BILL NO. 820, by Representatives Mitchell and Stratton:

Defining crimes concerning imitation controlled substances.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 820 was substituted for House Bill No. 820 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 820 was read the second time.

On motion of Mr. Padden, the following amendment by Representatives Padden, Mitchell and Wang was adopted:

On page 2, beginning on line 2 after "which" strike everything through "nature:" on line 7 and insert "by appearance or representation would lead a reasonable person to believe that the substance is a controlled substance and the creation of such a belief in any person is an intent of the person owning or possessing the substance. Appearance includes, but is not limited to, color, shape, size and markings of the dosage unit. Representation includes, but is not limited to, representations or factors of the following nature:"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 820, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Winsley.

Engrossed Substitute House Bill No. 820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 858, by Representatives James, Sommers, Addison, Lundquist, Johnson, Williams, Barr and Nelson, G. (by Governor Spellman request):

Abolishing certain boards and commissions and transferring their powers, duties, and functions.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 858 was substituted for House Bill No. 858 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 858 was read the second time.

Mr. Williams moved adoption of the following amendment by Representatives Williams and James:

On page 4, beginning on line 22 add a new section to read as follows:

*NEW SECTION, Sec. 2. There is added to chapter 18.51 RCW a new section to read as follows:

The nursing home advisory council established by this chapter is abolished.*

Renumber the remaining sections consecutively.

Mr. Williams spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Williams, was there a public hearing held on abolishing this nursing home advisory council and does the nursing home association agree with this?"

Mr. Williams: "Representative Sanders, this is a public meeting obviously. There was no public hearing held on this. Does the industry agree? To my knowledge—and I talked to the lobbyists, and they would agree with it. Does everyone in the state agree? I don't know."

Mr. Ehlers spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Williams and James to page 4 of Substitute House Bill No. 858, and the amendment was not adopted by the following vote: Yeas, 12; nays, 81; not voting, 5.

Voting yea: Representatives Bond, Clayton, Eberle, Hastings, Houchen, James, Lundquist, McDonald, Nickell, Nisbet, Struthers, Williams.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Isaacson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Smith, Winsley.

MOTION

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 858 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 868, by Representatives Chamberlain, Heck, Maxie, Galloway and McDonald:

Modifying distribution procedures of federal forest funds.

The bill was read the second time. On motion of Mr. McDonald, Substitute House Bill No. 868 was substituted for House Bill No. 868 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 868 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 868, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Substitute House Bill No. 868, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 874, by Representatives Houchen, Struthers and Wang:

Modifying provisions relating to the sentencing of criminal offenders.

The bill was read the second time. On motion of Ms. Houchen, Substitute House Bill No. 874 was substituted for House Bill No. 874 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 874 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 874, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Substitute House Bill No. 874, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 946, by Representatives Patrick, Walk and Lundquist (by Governor Spellman request):

Modifying provisions relating to the traffic safety commission.

The bill was read the second time. On motion of Mr. Wilson, Substitute House Bill No. 946 was substituted for House Bill No. 946 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 946 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 946, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Substitute House Bill No. 946, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 986, by Committee on Appropriations – General Government and Representatives Williams, Wang, McDonald, Ellis and James:

Modifying provisions relating to retirement from public service.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass with the following amendment:

On page 7, beginning on line 1 strike all of section 3.

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 986, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representative Monohon.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Engrossed House Bill No. 986, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Hastings, HOUSE BILL NO. 987 was rereferred from second reading calendar to Committee on Appropriations - General Government.

HOUSE BILL NO. 1013, by Committee on Labor and Economic Development and Representatives Nelson (G), Sanders, King (J), Patrick, Cole, Barr, Lux and Johnson:

Establishing a limited small business innovators opportunity program.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Clayton, Ellis, Fancher, Johnson, Winsley.

House Bill No. 1013, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Dawson, Williams, Galloway, Greengo, Tilly, King (J), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders:

Urging the state investment board to make investments to stimulate the state's economy.

The resolution was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Dawson spoke in favor of the resolution.

POINT OF INQUIRY

Mr. Dawson yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Dawson, for the record, recognizing that we have \$5 million in moneys for the investments for pensions, and that any degradation of the return on this deficit would be very costly to the general fund, it is my understanding that the intent of this joint resolution would not be to direct them to take any lower rate of return on investments than they could get in the rest of the market, and that the prudent-man rule would still be binding—that they would not use these moneys in something that would not ordinarily be done anyway, but just more judiciously search out investment opportunities in this state?"

Mr. Dawson: "Representative McDonald, I would concur in your remarks. I hope the language of the bill clearly states that we are not asking the State Investment Board to alter, in any way, the manner in which they determine what is a prudent investment. They can take into consideration, as you well know, several factors: Yield on return, risk, maturity, equity and any number of factors. It is not the purpose of this resolution to attempt, in any way, to induce them to alter the manner in which they determine if it is prudent."

Representatives McDonald and Thompson spoke in favor of the resolution.

POINT OF INQUIRY

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

Mr. O'Brien: "Representative Dawson, the part of this resolution pertaining to loans to financial institutions of the state of Washington for the purpose of infusing such capital into the economy of the state, would that be in violation of our state Constitution?"

Mr. Dawson: "Representative O'Brien, that's standard practice now. The Investment Board, I believe, holds approximately \$300 to \$350 million in home mortgages, as an example, so this is a practice that is currently under way."

Mr. O'Brien: "Do you classify purchases of mortgages as not a loan?"

Mr. Dawson: "No, that is not a loan, Representative O'Brien. They are purchasing mortgages. I think you will find if you were to examine the Treasurer's vault, that there are several millions of dollars of mortgages that have been purchased by pension funds or the State Investment Board in the past that were held as collateral for investments."

Mr. Garrett spoke against the resolution.

POINT OF INQUIRY

Mr. Dawson yielded to question by Ms. Valle.

Ms. Valle: "Under this proposed resolution, could the Investment Board invest in WPPSS Plants 1, 2 and 3?"

Mr. Dawson: "Representative Valle, it's very difficult for me to answer that. As far as I know, if the Investment Board should deem it in the best interest of that fund, yes, indeed, they could invest in 1, 2 and 3 or any other bond issue that they consider a prudent investment. I want to assure you that this is no backward attempt to try to induce them to do so."

Mr. Williams spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 37, and the resolution was adopted by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representative Garrett.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

House Concurrent Resolution No. 37, having received the constitutional majority, was declared adopted.

HOUSE BILL NO. 920, by Representatives Hankins, Walk and Addison (by Governor Spellman request):

Establishing an occupational information service.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 920 was substituted for House Bill No. 920 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 920 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 920, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Dawson, Ellis, Fancher, Johnson, Winsley.

Substitute House Bill No. 920, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 454, by Representatives Clayton, King (R), McGinnis, Lux and Sanders:

Enacting the Workers' Compensation Vocational Rehabilitation Reform Act of 1981.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, January 29, 1982.)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 454, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Engrossed House Bill No. 454, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 888, by Representatives Nickell, Houchen and Granlund (by Secretary of State request):

Making general election ballots uniform.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 888 was substituted for House Bill No. 888 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 888 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 888, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ellis, Fancher, Johnson, Winsley.

Substitute House Bill No. 888, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 658, by Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representatives Cantu, Nelson, D. and Wang):

Providing energy conservation procedures for state buildings.

The bill was read the second time. On motion of Mr. Barnes, Second Substitute House Bill No. 658 was substituted for Substitute House Bill No. 658 and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 658 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading placed considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 658, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Dawson, Ellis, Fancher, Johnson, Winsley.

Second Substitute House Bill No. 658, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 857, by Committee on State Government (originally sponsored by Representatives Vander Stoep, Fiske, Chamberlain, Addison, Johnson, Tupper, Garson, Berleen, Nickell, Nelson, G., Rosbach, Hastings, James, Williams, Taylor, Winsley and Barr):

Permitting audits by private accounting firms.

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

MOTION

Mr. Hastings moved that the rules be suspended and Engrossed Substitute House Bill No. 857 be returned to second reading for the purpose of amendment.

Mr. Heck spoke against the motion, and Mr. Vander Stoep spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Engrossed Substitute House Bill No. 857 to second reading, and the motion was lost by the following vote: Yeas 57; nays, 36; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, King J., Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, McCormick,

Monohon, Nelson D., North, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Dawson, Ellis, Fancher, Johnson, Winsley.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 857.

Representatives Vander Stoep, O'Brien and Van Dyken spoke in favor of passage of the bill, and Representatives Kreidler, Rust, Walk and Hine spoke against it.

Mr. Vander Stoep spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 857, and the bill passed the House by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Addison, Amen, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, King J., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Barr, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Tilly, Valle, Walk, Wang.

Not voting: Representatives Dawson, Ellis, Fancher, Johnson, Winsley.

Engrossed Substitute House Bill No. 857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 4, 1982

HOUSE BILL NO. 826, Prime Sponsor: Representative Ellis, establishing the Washington law revision commission. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Barnes, King (J), Maxie, Monohon.

Voting nay: Representatives Amen, Kaiser, McGinnis, Rosbach.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 906, Prime Sponsor: Representative Chamberlain, creating the community economic revitalization board. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Smith.

MINORITY recommendation: Do not pass. Signed by Representatives King (J), Ranking Minority Member; Brekke, Brown, Cole, Lux, Monohon.

Not attending: Representatives Brekke, Garrett.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 933, Prime Sponsor: Committee on Appropriations - General Government, modifying provisions on the procurement of insurance by state agencies. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 950, Prime Sponsor: Representative Berleen, modifying provisions relating to the health care facilities authority. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, King (J), Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang, Winsley.

Not attending: Representatives Leonard, North, Padden.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 35 was rereferred from Committee on Local Government to Committee on Ways and Means.

On motion of Mr. Nelson (G), HOUSE BILL NO. 436 was rereferred from Committee on State Government to Committee on Labor and Economic Development.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1112 was rereferred from Committee on Natural Resources and Environmental Affairs to Committee on Institutions.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Monday, February 8, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 8, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1135, by Representatives James, Williams, Barrett and Owen:

AN ACT Relating to education; amending section 6, chapter 92, Laws of 1974 ex. sess. and RCW 28A.02-.250; amending section 28A.44.045, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.045; amending section 28A.44.095, chapter 223, Laws of 1969 ex. sess. and RCW 28A.44.095; amending section 28A.58.103, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 134, Laws of 1979 ex. sess. and RCW 28A.58.103; amending section 28A.58.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 30, chapter 80, Laws of 1977 ex. sess. and RCW 28A.58.150; amending section 1, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.350; amending section 2, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.352; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 7, chapter 157, Laws of 1972 ex. sess. as amended by section 1, chapter 22, Laws of 1975 1st ex. sess. and RCW 82.24.260; creating a new section; repealing section 2, chapter 60, Laws of 1975 1st ex. sess. and RCW 28A.03.051; repealing section 1, chapter 78, Laws of 1975 1st ex. sess. and RCW 28A.03.300; repealing section 2, chapter 78, Laws of 1975 1st ex. sess. and RCW 28A.03.310; repealing section 3, chapter 78, Laws of 1975 1st ex. sess. and RCW 28A.03.320; repealing section 1, chapter 127, Laws of 1975 1st ex. sess. and RCW 28A.04.134; repealing section 1, chapter 85, Laws of 1974 ex. sess., section 6, chapter 87, Laws of 1980 and RCW 28A.41.250; repealing sections 2 through 5, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.260 through 28A.41.290; repealing sections 1 through 8, chapter 149, Laws of 1979 and RCW 28A.41.400 through 28A.41.414; repealing section 28A.44.070, chapter 223, Laws of 1969 ex. sess., section 17, chapter 48, Laws of 1971, section 35, chapter 282, Laws of 1971 ex. sess., section 62, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.44.070; repealing section 28A.47.130, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.130; repealing section 28A.47.140, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.140; repealing section 28A.47.170, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.170; repealing section 28A.47.180, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.180; repealing section 28A.47.210, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.210; repealing section 28A.47.220, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.220; repealing section 28A.47.230, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.230; repealing section 28A.47.420, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.420; repealing section 28A.47.435, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.435; repealing section 28A.47.440, chapter 223, Laws of 1969 ex. sess., section 1, chapter 70, Laws of 1971 ex. sess., section 1, chapter 157, Laws of 1972 ex. sess. and RCW 28A.47.440; repealing section 28A.47.445, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.445; repealing section 28A.47.450, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.450; repealing section 28A.47.460, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.460; repealing section 28A.47.470, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.470; repealing section 28A.47.480, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.480; repealing section 28A.47.490, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.490; repealing section 28A.47.500, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.500; repealing section 28A.47.510, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.510; repealing section 28A.47.520, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.520; repealing section 28A.47.530, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.530; repealing section 28A.47.540, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.540; repealing section 28A.47.560, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.560; repealing section 28A.47.570, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.570; repealing section 28A.47.580, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.580; repealing section 28A.47.590, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.590; repealing section 28A.47.600, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.600; repealing section 28A.47.610, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.610; repealing section 28A.47.620, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.620; repealing section 28A.47.630, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.630; repealing section 28A.47.640, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.640; repealing section 28A.47.650, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.650; repealing section 28A.47.660, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.660; repealing section 28A.47.680, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.680; repealing section 28A.47.690, chapter 223, Laws of 1969 ex. sess., section 37, chapter 141, Laws of 1979 and RCW 28A.47.690; repealing section 28A.47.700, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.700; repealing section 28A.47.710, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.710; repealing section 28A.47.720, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.720; repealing section 28A.47.722, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.722; repealing section 28A.47.724, chapter 223, Laws of 1969 ex. sess. and RCW

28A.47.724; repealing section 28A.47.726, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.726; repealing section 28A.47.728, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.728; repealing section 28A.47.730, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.730; repealing section 28A.47.732, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.732; repealing section 28A.47.734, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.734; repealing section 28A.47.736, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.736; repealing section 28A.47.738, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.738; repealing section 28A.47.742, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.742; repealing section 28A.47.744, chapter 223, Laws of 1969 ex. sess., section 38, chapter 141, Laws of 1979 and RCW 28A.47.744; repealing section 28A.47.746, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.746; repealing section 28A.47.748, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.748; repealing section 28A.47.750, chapter 223, Laws of 1969 ex. sess. and RCW 28A.47.750; repealing section 5, chapter 111, Laws of 1973 and RCW 28A.58.730; repealing sections 1 through 6, chapter 95, Laws of 1979 and RCW 28A.58.800 through 28A.58.810; repealing section 20, chapter 118, Laws of 1975-'76 2nd ex. sess., section 1, chapter 124, Laws of 1975-'76 2nd ex. sess. and RCW 28A.65.495; repealing section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060; repealing section 28A.67.040, chapter 223, Laws of 1969 ex. sess., section 48, chapter 48, Laws of 1971, section 131, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.67.040; and repealing section 28A.67.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.67.050.

To Committee on Education

HOUSE BILL NO. 1136, by Representatives Owen, Monohon and Erak:

AN ACT Relating to the withdrawal of territory within an existing water district, sewer district, or fire protection district; amending section 5, chapter 55, Laws of 1941 and RCW 57.28.050; and adding a new section to chapter 55, Laws of 1941 and to chapter 57.28 RCW.

To Committee on Local Government

HOUSE BILL NO. 1137, by Representative Sherman:

AN ACT Relating to revenue and taxation; adding a new chapter to Title 82 RCW; and providing an effective date.

To Committee on Transportation

HOUSE BILL NO. 1138, by Representatives Garson, Kreidler, Monohon and Mitchell:

AN ACT Relating to local economic development; amending section 2, chapter 300, Laws of 1981 and RCW 39.84.020; and declaring an emergency.

To Committee on Local Government

HOUSE BILL NO. 1139, by Representatives Barrett, Chandler, Leonard, Hine, Grimm, Stratton, Bond, McCormick and Struthers:

AN ACT Relating to retirement of public employees; adding a new chapter to Title 41 RCW; and providing an effective date.

To Committee on Appropriations - General Government

HOUSE BILL NO. 1140, by Representatives Barr, Stratton, McCormick, Bond and Lundquist:

AN ACT Relating to retail sales and use taxes imposed by counties, cities and metropolitan municipal corporations; and adding a new section to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW.

To Committee on Local Government

HOUSE BILL NO. 1141, by Representatives Armstrong, Chandler, King (J), Fiske, Stratton, Lewis, Grimm, Valle, Scott, Eng, Bender, Lux, Salatino, Sommers, Patrick, Rinchart, Kaiser, Erak, Monohon, Warnke, Williams, Heck, Johnson and Wang:

AN ACT Relating to exports; adding a new chapter to Title 43 RCW; creating a new section; making an appropriation; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1142, by Committee on Human Services and Representatives Patrick, Valle, Addison, Nelson (D), Sanders, Rust, Chandler, Pruitt, Isaacson, Brekke, Mitchell and Lux:

AN ACT Relating to smoking; adding a new chapter to Title 43 RCW; and prescribing penalties.

To Committee on Human Services

HOUSE BILL NO. 1143, by Committee on Institutions and Representatives Patrick, Struthers and Granlund:

AN ACT Relating to corrections; amending section 13, chapter 133, Laws of 1955 as last amended by section 37, chapter 136, Laws of 1981 and RCW 9.95.120; amending section 9, chapter 316, Laws of 1977 ex. sess. as amended by section 15, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.090; and creating a new section.

To Committee on Institutions

HOUSE BILL NO. 1144, by Committee on Institutions and Representatives Houchen, Amen and Barr:

AN ACT Relating to jails; and amending section 6, chapter 316, Laws of 1977 ex. sess. as last amended by section 9, chapter 232, Laws of 1979 ex. sess. and RCW 70.48.060.

To Committee on Institutions

HOUSE BILL NO. 1145, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to special purpose districts; amending section 1, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.070; amending section 1, chapter 148, Laws of 1969 ex. sess. and RCW 56.36.010; amending section 2, chapter 108, Laws of 1959 and RCW 57.08.080; amending section 3, chapter 108, Laws of 1959 as amended by section 1, chapter 299, Laws of 1977 ex. sess. and RCW 57.08.090; amending section 15, chapter 18, Laws of 1959 and RCW 57.24.010; amending section 1, chapter 267, Laws of 1943 as amended by section 1, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.010; amending section 1, chapter 28, Laws of 1961 as amended by section 3, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.010; amending section 1, chapter 146, Laws of 1971 ex. sess. and RCW 57.40-.100; adding new sections to chapter 56.02 RCW; and adding new sections to chapter 57.02 RCW.

To Committee on Local Government

HOUSE BILL NO. 1146, by Committee on Financial Institutions and Insurance and Representatives Salatino, Brown, Clayton, Stratton, Johnson, Dawson and Rinehart:

AN ACT Relating to insurance; amending section 3, chapter 119, Laws of 1974 ex. sess. and RCW 48.21-.180; amending section 4, chapter 119, Laws of 1974 ex. sess. as amended by section 14, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.44.240; amending section 3, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.030; amending section 2, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.020; amending section 8, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.080; amending section 9, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.090; adding a new section to chapter 48.46 RCW; adding a new section to chapter 71.24 RCW; repealing section 2, chapter 119, Laws of 1974 ex. sess. and RCW 48.21.170; and providing an effective date.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1147, by Representatives Houchen, Johnson and Wang:

AN ACT Relating to the prevention of drunken driving and the indemnification of victims thereof; imposing an additional tax upon intoxicating liquor; providing for the use of revenue derived therefrom; providing for a study; adding a new chapter to Title 82 RCW; and prescribing an expiration date.

To committee on Institutions

HOUSE BILL NO. 1148, by Representatives Lundquist, Martinis, Sanders, Erak, Wilson, Scott, Smith, Monohon, Flanagan, McCormick, Mitchell, Hankins and Tupper:

AN ACT Relating to state timber sales; amending section 33, chapter 255, Laws of 1927 as last amended by section 1, chapter 52, Laws of 1975 1st ex. sess. and RCW 79.01.132; adding new sections to chapter 79.01 RCW; providing an expiration date; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1149, by Representatives Bond, Galloway, McGinnis, Barrett, Hastings, Patrick, Heck, King (J), Hankins, Salatino, Garrett and McCormick:

AN ACT Relating to fireworks; amending section 9, chapter 228, Laws of 1961 and RCW 70.77.160; amending section 11, chapter 228, Laws of 1961 and RCW 70.77.170; amending section 13, chapter 228, Laws of 1961 and RCW 70.77.180; amending section 19, chapter 228, Laws of 1961 and RCW 70.77.210; amending section 20, chapter 228, Laws of 1961 and RCW 70.77.215; amending section 23, chapter 228, Laws of 1961 and RCW 70.77.230; amending section 27, chapter 228, Laws of 1961 and RCW 70.77.250; amending section 28, chapter 228, Laws of 1961 and RCW 70.77.255; amending section 29, chapter 228, Laws of 1961 and RCW 70.77.260; amending section 34, chapter 228, Laws of 1961 and RCW 70.77.285; amending section 36, chapter 228, Laws of 1961 and RCW 70.77.295; amending section 38, chapter 228, Laws of 1961 and RCW 70.77.305; amending section 40, chapter 228, Laws of 1961 and RCW 70.77.315; amending section 42, chapter 228, Laws of 1961 and RCW 70.77.325; amending section 43, chapter 228, Laws of 1961 and RCW 70.77.330; amending section 44,

chapter 228, Laws of 1961 and RCW 70.77.335; amending section 45, chapter 228, Laws of 1961 and RCW 70.77.340; amending section 46, chapter 228, Laws of 1961 and RCW 70.77.345; amending section 48, chapter 228, Laws of 1961 and RCW 70.77.355; amending section 49, chapter 228, Laws of 1961 and RCW 70.77.360; amending section 50, chapter 228, Laws of 1961 and RCW 70.77.365; amending section 51, chapter 228, Laws of 1961 and RCW 70.77.370; amending section 52, chapter 228, Laws of 1961 and RCW 70.77.375; amending section 56, chapter 228, Laws of 1961 and RCW 70.77.395; amending section 58, chapter 228, Laws of 1961 and RCW 70.77.405; amending section 60, chapter 228, Laws of 1961 and RCW 70.77.415; amending section 61, chapter 228, Laws of 1961 and RCW 70.77.420; amending section 62, chapter 228, Laws of 1961 and RCW 70.77.425; amending section 63, chapter 228, Laws of 1961 and RCW 70.77.430; amending section 64, chapter 228, Laws of 1961 and RCW 70.77.435; amending section 68, chapter 228, Laws of 1961 and RCW 70.77.455; amending section 73, chapter 228, Laws of 1961 and RCW 70.77.480; amending section 79, chapter 228, Laws of 1961 and RCW 70.77.510; amending section 80, chapter 228, Laws of 1961 and RCW 70.77.515; amending section 82, chapter 228, Laws of 1961 and RCW 70.77.525; amending section 84, chapter 228, Laws of 1961 and RCW 70.77.535; amending section 88, chapter 228, Laws of 1961 and RCW 70.77.555; adding new sections to chapter 70.77 RCW; repealing section 2, chapter 228, Laws of 1961 and RCW 70.77.125; repealing section 3, chapter 228, Laws of 1961 and RCW 70.77.130; repealing section 4, chapter 228, Laws of 1961 and RCW 70.77.135; repealing section 5, chapter 228, Laws of 1961 and RCW 70.77.140; repealing section 6, chapter 228, Laws of 1961 and RCW 70.77.145; repealing section 7, chapter 228, Laws of 1961 and RCW 70.77.150; repealing section 8, chapter 228, Laws of 1961 and RCW 70.77.155; repealing section 14, chapter 228, Laws of 1961 and RCW 70.77.185; repealing section 16, chapter 228, Laws of 1961 and RCW 70.77.195; repealing section 21, chapter 228, Laws of 1961 and RCW 70.77.220; repealing section 22, chapter 228, Laws of 1961 and RCW 70.77.225; repealing section 24, chapter 228, Laws of 1961 and RCW 70.77.235; repealing section 25, chapter 228, Laws of 1961 and RCW 70.77.240; repealing section 26, chapter 228, Laws of 1961 and RCW 70.77.245; repealing section 32, chapter 228, Laws of 1961 and RCW 70.77.275; repealing section 37, chapter 228, Laws of 1961 and RCW 70.77.300; repealing section 39, chapter 228, Laws of 1961 and RCW 70.77.310; repealing section 47, chapter 228, Laws of 1961 and RCW 70.77.350; repealing section 53, chapter 228, Laws of 1961 and RCW 70.77.380; repealing section 54, chapter 228, Laws of 1961 and RCW 70.77.385; repealing section 55, chapter 228, Laws of 1961 and RCW 70.77.390; repealing section 57, chapter 228, Laws of 1961 and RCW 70.77.400; repealing section 66, chapter 228, Laws of 1961 and RCW 70.77.445; repealing section 71, chapter 228, Laws of 1961 and RCW 70.77.470; repealing section 72, chapter 228, Laws of 1961 and RCW 70.77.475; repealing section 75, chapter 228, Laws of 1961 and RCW 70.77.490; repealing section 77, chapter 228, Laws of 1961 and RCW 70.77.500; repealing section 78, chapter 228, Laws of 1961 and RCW 70.77.505; repealing section 89, chapter 228, Laws of 1961 and RCW 70.77.560; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1150, by Representatives Vander Stoep, Pruitt, Chamberlain, Brown, Leonard, Salatino, Berleen, Owen, Schmidt, Patrick, Addison, Fiske, Valle and Lux:

AN ACT Relating to licensing hearing aids fitters and dispensers; amending section 1, chapter 106, Laws of 1973 1st ex. sess. as amended by section 38, chapter 158, Laws of 1979 and RCW 18.35.010; amending section 2, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.020; amending section 3, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.030; amending section 4, chapter 106, Laws of 1973 1st ex. sess. as amended by section 36, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.35.040; amending section 5, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.050; amending section 6, chapter 106, Laws of 1973 1st ex. sess. as amended by section 37, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.35.060; amending section 9, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.090; amending section 10, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.100; amending section 11, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.110; amending section 12, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.120; amending section 13, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.130; amending section 14, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.140; amending section 15, chapter 106, Laws of 1973 1st ex. sess. as amended by section 35, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.35.150; amending section 19, chapter 106, Laws of 1973 1st ex. sess. and RCW 18.35.190; adding new sections to chapter 18.35 RCW; and prescribing penalties.

To Committee on Human Services

HOUSE BILL NO. 1151, by Representatives Leonard, Stratton, McGinnis, Armstrong, Patrick, Schmidt, Tupper, Tilly, Teutsch, Chamberlain, Fiske, Bond, Prince, Hankins and Salatino:

AN ACT Relating to self-service storage facilities; and adding a new chapter to Title 59 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1152, by Representatives Berleen and Barnes:

AN ACT Relating to metropolitan municipal corporations; amending section 10, chapter 105, Laws of 1967 as amended by section 4, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.118; and adding new sections to chapter 35.58 RCW.

To Committee on Local Government

HOUSE BILL NO. 1153, by Representatives Nisbet, Houchen, Owen, Brown, Hankins, Lewis, Bender, McGinnis, Hastings, Sherman, Patrick, Walk, Martinis and Scott:

AN ACT Relating to the creation and organization of a new county; amending section 6, chapter 125, Laws of 1951 as last amended by section 1, chapter 65, Laws of 1981 and RCW 2.08.064; amending section 2, chapter 221, Laws of 1969 ex. sess. as amended by section 1, chapter 49, Laws of 1977 ex. sess. and RCW 2.06.020; amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 153, Laws of 1975 1st ex. sess. and RCW 3.34.010; amending section 28B.50.040, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 72, Laws of 1981 and RCW 28B.50.040; reenacting and amending section 1, page 472, Laws of 1854 as last amended by section 1, page 292, Laws of 1869 and by section 1, chapter 40, Laws of 1925 ex. sess. and RCW 36.04.050; reenacting and amending section 1, page 292, Laws of 1869 as last amended by section 1, page 406, Laws of 1877 (Hills Code Vol. 1 section 12) and by section 1, chapter 40, Laws of 1925 ex. sess. and RCW 36.04.160; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 2, chapter 88, Laws of 1973 1st ex. sess. and RCW 36.17.020; amending section 34, chapter 288, Laws of 1981 and RCW 44.07B.240; amending section 11, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.050; amending section 1, chapter 168, Laws of 1945 and RCW 58.20.010; amending section 3, chapter 108, Laws of 1957 and RCW 75.12.210; creating new sections; and providing an effective date contingent on voter approval.

To Committee on Local Government

HOUSE BILL NO. 1154, by Committee on Higher Education and Representative Greengo:

AN ACT Relating to the adoption of a semester calendar in institutions of higher education throughout the state; creating new sections; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW.

To Committee on Higher Education

HOUSE BILL NO. 1155, by Committee on Education and Representative Nelson (G):

AN ACT Relating to recreation; providing for the establishment of and powers, duties and obligations of school community recreation districts and providing for the financing thereof by the issuance of bonds thereof and levying of taxes therefor; setting forth the interrelationship of school districts and their officials with school community recreation districts and their officials; declaring certain election expenses as for school district purposes; amending section 28A.57.318, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.318; reenacting and amending section 4, chapter 268, Laws of 1961 as last amended by section 1, chapter 4, Laws of 1979 ex. sess. and by section 1, chapter 39, Laws of 1980 and RCW 42.23.030; amending section 84.52.052, chapter 15, laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052; creating new sections; adding new sections to Title 36 RCW as a new chapter thereof; and declaring an emergency.

To Committee on Education

HOUSE BILL NO. 1156, by Committee on Local Government and Representatives Isaacson and Nelson (G):

AN ACT Relating to commerce and economic development; permitting the establishment of cultural arts, stadium and convention districts and setting out their powers, duties and responsibilities; authorizing certain powers, duties and responsibilities for the planning, design, construction, renovation, furnishing, landscaping, operation, and maintenance of cultural arts, stadium and convention facilities; providing for the financing of such facilities by issuance of bonds; authorizing certain taxing authority; authorizing the acquisition of certain real property; providing for the dissolution of cultural arts, stadium and convention districts; amending section 84.52.052, chapter 15, Laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052; creating new sections; adding new sections as a new chapter to Title 67 RCW; and declaring an emergency.

To Committee on Local Government

HOUSE CONCURRENT RESOLUTION No. 38, by Representative Chandler:

Providing for a centennial celebration.

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 5, 1982

HOUSE BILL NO. 643, Prime Sponsor: Representative Owen, regulating the harvesting and transportation of firewood. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chamberlain, Vice Chairman; Dawson, Erak, Garson, Mitchell, Nickell, Owen, Rinehart, Stratton, Thompson, Valle, Williams.

Voting nay: Representatives North, Ranking Minority Member; Addison, Barr, Brekke, Lundquist, Martinis, McDonald, Wilson.

Not signing report: Representative Rosbach, Chairwoman.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 647, Prime Sponsor: Committee on Revenue, modifying provisions on the deferral of special assessments and property taxes. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust.

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

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 834, Prime Sponsor: Representative Garson, modifying penalties for violations of game laws. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Dawson, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Rinehart, Thompson, Valle, Williams, Wilson.

Voting nay: Representative Stratton.

Not signing report: Representative Barr.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 840, Prime Sponsor: Representative Struthers, increasing the sales tax exemption permit fee. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 851, Prime Sponsor: Committee on Human Services, modifying eligibility for services for the developmentally disabled. Reported by committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representatives King (J), Winsley.

Referred to Committee on Appropriations - Human Services

February 5, 1982

HOUSE BILL NO. 880, Prime Sponsor: Representative Garson, providing a reduced-fee fishing license for senior citizens. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Barr, Brekke, Dawson, Garson, Lundquist, McDonald, Nickell, Thompson, Valle, Williams.

Voting nay: Representatives Erak, Mitchell, Owen, Rinehart, Stratton, Wilson.

Changing from Aye to Nay: Representative Erak.

Not signing report: Representative Martinis.

Rereferred to Committee on Revenue

February 5, 1982

HOUSE BILL NO. 883, Prime Sponsor: Representative Garson, limiting liability for persons rendering aid in hazardous materials incidents. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Eberle, Patrick, Smith, Walk.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 885, Prime Sponsor: Representative Patrick, modifying cigarette taxes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 893, Prime Sponsor: Representative Sommers, eliminating portion of liquor tax imposed for wine research. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Ehlers, Fiske, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Fancher.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 907, Prime Sponsor: Committee on Ethics, Law and Justice, modifying the laws governing the office of administrative hearings. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 923, Prime Sponsor: Representative Addison, creating a state center for voluntary action. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill by Committee on State Government do pass with the following amendments:

On page 4, line 30 strike all of section 7 and insert the following:

***NEW SECTION.** Sec. 7. (1) The center may receive such gifts, grants, and endowments from private or public sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purpose of the center and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments. The center may charge reasonable fees, or other appropriate charges, for attendance at workshops and conferences, for various publications and other materials which it is authorized to prepare and distribute for the purpose of defraying all or part of the costs of those activities and materials.

(2) A fund known as the voluntary action center fund is created, which consists of all gifts, grants, and endowments, fees and other revenues received pursuant to this chapter. The state treasurer is the custodian of the fund. Disbursements from the fund shall be on authorization of the coordinator of the center or the coordinator's designee, and may be made for the following purposes to enhance the capabilities of the center's activities, such as: (a) reimbursement of center volunteers for travel expenses as provided in RCW 43.03.050 and 43.03.060; (b) publication and distribution of materials involving volunteerism; (c) for other purposes designated in gifts, grants or endowments consistent with the purposes of this chapter. The fund is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements."

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 962, Prime Sponsor: Committee on Revenue, modifying provisions on property tax appeals. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust.

Voting nay: Representative Sanders.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 964, Prime Sponsor: Committee on Revenue, modifying provisions on real estate excise taxation. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 979, Prime Sponsor: Committee on Transportation, recognizing current practices in county road administration. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 15 strike all of section 1 and renumber the remaining sections consecutively.

On page 1, line 1 of the title after "highways;" strike everything down to and including "RCW 36.80-.060;" on line 3.

Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 989, Prime Sponsor: Representative Vander Stoep, revising law concerning authorized deductions of retirement pay. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 994, Prime Sponsor: Representative Smith, authorizing the director of agriculture to take emergency measures against plant pests and diseases. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Ehlers, Gallagher, Hastings, Kaiser, Lux, Padden, Prince.

Voting nay: Representatives Fiske, Sommers.

Not attending: Representatives Amen, Fancher.

Rereferred to Committee on Ways and Means

February 4, 1982

HOUSE BILL NO. 1012, Prime Sponsor: Committee on Appropriations - General Government, authorizing fees for surveys and maps supplied from DNR. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Kaiser, Maxie, Monohon, Rosbach.

Voting nay: Representatives Fiske, Vice Chairman; King (J), McGinnis.

Changing vote from Aye to Nay: Representative Fiske, Vice Chairman.

Not attending: Representative Ellis.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE BILL NO. 1023, Prime Sponsor: Representative Erak, increasing the fee for driving record abstracts. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Smith, Walk.

Passed to Committee on Rules for second reading.

February 4, 1982

HOUSE BILL NO. 1048, Prime Sponsor: Select Committee on Child Abuse, modifying provisions relating to child abuse and family offenses. Reported by Select Committee on Child Abuse.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Galloway, Co-Chairwoman; Berleen, Co-Chairwoman; Brown, James, Lewis, Salatino.

Passed to Committee on Rules for second reading.

February 3, 1982

HOUSE BILL NO. 1063, Prime Sponsor: Committee on Labor and Economic Development, modifying provisions relating to alcoholic beverages. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Monohon, Smith.

Voting nay: Representatives Brekke, Cole.

Not attending: Representatives Brown, Garrett, Lux.

Passed to Committee on Rules for second reading.

February 5, 1982

HOUSE JOINT MEMORIAL NO. 20, Prime Sponsor: Representative Lundquist, requesting the federal government settle and acquire tribal claims and rights to the fish and natural resources located in the state. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Barr, Dawson, Erak, Garson, Lundquist, McDonald, Mitchell, Nickell, Williams, Wilson.

Voting nay: Representatives North, Ranking Minority Member; Brekke, Rinehart, Stratton, Thompson, Valle.

Not signing report: Representatives Martinis, Owen.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, February 9, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTIETH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, February 9, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

MESSAGE FROM THE SENATE

February 8, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3405,
 SENATE BILL NO. 3847,
 ENGROSSED SENATE BILL NO. 4464,
 SENATE BILL NO. 4471,
 SENATE BILL NO. 4488,
 SENATE BILL NO. 4491,
 SUBSTITUTE SENATE BILL NO. 4510,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1157, by Representative Bender:

AN ACT Relating to athletic agencies and the regulation thereof; creating new sections; adding new sections as a new chapter in Title 19 RCW; and providing penalties.

To Committee on State Government

HOUSE BILL NO. 1158, by Committee on Appropriations – Human Services and Representatives Nisbet and Brekke:

AN ACT Relating to nursing homes; and adding a new section to chapter 74.09 RCW.

To Committee on Appropriations – Human Services

HOUSE BILL NO. 1159, by Representative Hastings:

AN ACT Relating to elections; amending section 3, chapter 107, Laws of 1980 and RCW 29.04.040; amending section 29.04.055, chapter 9, Laws of 1965 as last amended by section 5, chapter 361, Laws of 1977 ex. sess. and RCW 29.04.055; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 7, chapter 4, Laws of 1973 and RCW 29.42.050; and adding a new section to chapter 29.42 RCW.

To Committee on State Government

HOUSE BILL NO. 1160, by Representatives McDonald and Thompson (by Department of Natural Resources request):

AN ACT Relating to sales of valuable materials from public lands; creating new sections; and declaring an emergency.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1161, by Representatives Nelson (G), Kaiser and Johnson (by Attorney General request):

AN ACT Relating to cemeteries; amending section 118, chapter 247, Laws of 1943 as last amended by section 2, chapter 133, Laws of 1961 and RCW 68.40.010; amending section 133, chapter 247, Laws of 1943 and RCW 68.44.060; amending section 115, chapter 247, Laws of 1943 as amended by section 21, chapter 21, Laws of 1979 and RCW 68.44.150; amending section 1, chapter 68, Laws of 1973 1st ex. sess. as last amended by section 22, chapter 21, Laws of 1979 and RCW 68.46.010; amending section 3, chapter 68, Laws of 1973 1st ex. sess. as amended by section 24, chapter 21, Laws of 1979 and RCW 68.46.030; amending section 5, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.050; amending section 6, chapter 68, Laws of 1973 1st ex. sess. as amended by section 25, chapter 21, Laws of 1979 and RCW 68.46.060; amending section 9, chapter 68, Laws of 1973 1st ex. sess. as amended by section 5, chapter 351, Laws of 1977 ex. sess. and RCW 68.46.090; amending section 10, chapter

68, Laws of 1973 1st ex. sess. and RCW 68.46.100; amending section 39, chapter 21, Laws of 1979 and RCW 68.46.210; adding a new section to chapter 68.46 RCW; and prescribing penalties.

To Committee on State Government

HOUSE BILL NO. 1162, by Committee on Appropriations – General Government and Representative Williams:

AN ACT Relating to geoduck management; and making an appropriation.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1163, by Representatives Van Dyken, Ellis, Berleen, Struthers, Isaacson and Patrick:

AN ACT Relating to the support of children; amending section 15, chapter 298, Laws of 1981 and RCW 13.32A.175; amending section 1, chapter 28, Laws of 1913 as last amended by section 34, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.030; amending section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.060; amending section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.090; amending section 15, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.140; amending section 5, chapter 322, Laws of 1959 as last amended by section 1, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20.040; amending section 16, chapter 173, Laws of 1969 ex. sess. as last amended by section 13, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.101; amending section 11, chapter 206, Laws of 1963 as amended by section 368, chapter 141, Laws of 1979 and RCW 74.20.260; amending section 12, chapter 206, Laws of 1963 as amended by section 369, chapter 141, Laws of 1979 and RCW 74.20.270; amending section 13, chapter 206, Laws of 1963 as amended by section 370, chapter 141, Laws of 1979 and RCW 74.20.280; amending section 22, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.330; amending section 19, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.350; amending section 2, chapter 164, Laws of 1971 ex. sess. as amended by section 3, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.020; amending section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 4, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.030; amending section 25, chapter 183, Laws of 1973 1st ex. sess. as amended by section 12, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.055; amending section 6, chapter 164, Laws of 1971 ex. sess. as last amended by section 5, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.060; amending section 13, chapter 164, Laws of 1971 ex. sess. as amended by section 12, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.130; amending section 19, chapter 164, Laws of 1971 ex. sess. as amended by section 17, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.190; amending section 24, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.260; amending section 23, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.280; amending section 21, chapter 5, Laws of 1961 ex. sess. as amended by section 38, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 70.58.095; adding a new section to chapter 26.09 RCW; adding new sections to chapter 26.26 RCW; adding a new section to chapter 74.20 RCW; adding new sections to chapter 74.20A RCW; creating new sections; repealing section 1, chapter 188, Laws of 1955, section 8, chapter 302, Laws of 1961, section 45, chapter 291, Laws of 1977 ex. sess., section 9, chapter 195, Laws of 1981 and RCW 13.34.170; repealing section 3, chapter 322, Laws of 1959, section 2, chapter 206, Laws of 1963 and RCW 74.20.020; repealing section 15, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.310; repealing section 25, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.340; providing an expiration date; and prescribing penalties.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1164, by Committee on Revenue and Representatives Tilly, Stratton, Chandler, Wang, Dawson, Johnson, Sherman, Kaiser, Brekke, Armstrong and Isaacson:

AN ACT Relating to alcoholic beverage control; adding a new section to chapter 66.24 RCW; declaring an emergency; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1165, by Committee on State Government and Representative Addison:

AN ACT Relating to state government; amending section 5, chapter 94, Laws of 1933 as amended by section 1, chapter 66, Laws of 1972 ex. sess. and RCW 2.48.030; amending section 5, chapter 202, Laws of 1955 as amended by section 2, chapter 71, Laws of 1977 and RCW 18.72.050; amending section 3, chapter 92, Laws of 1959 as last amended by section 1, chapter 31, Laws of 1979 ex. sess. and RCW 18.92.021; amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 74, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28B.50.050; amending section 2, chapter 263, Laws of 1955 and RCW 41.24.250; amending section 43.38.010, chapter 8, Laws of 1965 as amended by section 113, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.38.010; amending section 2, chapter 118, Laws of 1973 and RCW 72.41.020; amending section 2, chapter 96, Laws of 1972 ex. sess. and RCW 72.42.020; and declaring an emergency.

To Committee on State Government

HOUSE JOINT MEMORIAL NO. 23, by Representatives Becker, Valle and Nelson (D):

Requesting modification on federal policies on high-level radioactive wastes.

To committee on Natural Resources and Environmental Affairs

HOUSE JOINT RESOLUTION NO. 23, by Representative Teutsch:

Permitting the legislature to define the practice of law.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 3405, by Senators Jones, Gallagher, Hayner and Gould (by Department of Revenue request):

Establishing fact-finding procedures under the Educational Employment Relations Act.

To Committee on Education

SENATE BILL NO. 3847, by Senators Lee, Haley and Woody:

Revising laws relating to uniform allowance of organized militia.

To Committee on State Government

ENGROSSED SENATE BILL NO. 4464, by Senators Gallagher, Peterson, Sellar and Conner (by Department of Fisheries request):

Modifying provisions relating to crab fishing.

To Committee on Natural Resources and Environmental Affairs

SENATE BILL NO. 4471, by Senators Pullen and Woody:

Making general election ballot formats uniform.

To Committee on State Government

SENATE BILL NO. 4488, by Senators Zimmerman and Charnley:

Revising payment procedures of assessments for local improvements.

To Committee on Revenue

SENATE BILL NO. 4491, by Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request):

Permitting state appeals court judges to serve as judges pro tempore of the state supreme court.

To Committee on Ethics, Law and Justice

SUBSTITUTE SENATE BILL NO. 4510, by Committee on Ways and Means (originally sponsored by Senators Quigg, Talley, Guess, Zimmerman, Fuller and Sellar):

Providing for recovery operations from Mt. St. Helens eruption.

To Committee on Appropriations - General Government

MOTION

On motion of Mr. Nelson (G), the bills, memorials and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 8, 1982

HOUSE BILL NO. 549, Prime Sponsor: Committee on Labor and Economic Development, modifying the regulation of accountants. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, King (J), Rosbach, Chandler, Chairman Committee on Ways and Means.

Voting nay: Representatives Williams, Chairman; Kaiser, Maxie, McGinnis, Monohon.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 765, Prime Sponsor: Committee on Revenue, modifying the excise tax registration fee. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Galloway, Granlund, Hastings, Rust, Sanders.

Voting nay: Representative Brown.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 823, Prime Sponsor: Representative Bickham, requiring notice to property owner and occupant before issuing local improvement deeds. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not attending: Representatives Padden, Vice Chairman; Winsley.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 887, Prime Sponsor: Committee on Ethics, Law and Justice, enlarging class of civil actions which may be subject to mandatory arbitration. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang.

Voting nay: Representative Salatino, Ranking Minority Member.

Not attending: Representatives Padden, Vice Chairman; Tilly, Tupper, Winsley.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 939, Prime Sponsor: Representative Fiske, revising filing procedures, fee schedules, and requirements for laws administered by the Secretary of State. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Bickham, Granlund, Pruitt, Schmidt, Tupper, Wang.

Not signing report: Representative Patrick.

Not attending: Representatives Padden, Vice Chairman; Tilly, Tupper, Winsley.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 990, Prime Sponsor: Representative Vander Stoep, revising laws relating to retirement from public service. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach, Chandler, Chairman Committee on Ways and Means.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1000, Prime Sponsor: Committee on Education, authorizing pilot program for four day work week in schools. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Eberle, Ellis, Galloway, Hine, James, Lewis, Maxie, Vander Stoep.

Voting nay: Representatives Bender, Cantu, Dickie, Eng, Warnke.

Not signing report: Representative McDonald.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1011, Prime Sponsor: Committee on Local Government, defining and limiting the appearance of fairness doctrine. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Van Dyken.

Voting nay: Representative Lundquist, Vice Chairman.

Not attending: Representative Tilly.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1123, Prime Sponsor: Representative Berleen, modifying provisions relating to gambling. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Garrett, Hankins, Lux.

Not attending: Representatives Clayton, Eberle, Flanagan, Monohon, Smith.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1129, Prime Sponsor: Committee on Education, redefining relationship of the superintendent of public instruction to the state board of education. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Cantu, Dickie, Eberle, Ellis, Eng, Galloway, Hine, James, Lewis, Maxie, Vander Stoep.

Not signing report: Representative Warnke.

Not attending: Representative Johnson, Vice Chairman; McDonald.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, February 10, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 10, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Dawne Talbott and Jill Hansen. Prayer was offered by The Reverend Wayne H. Erickson, Pastor of the Bethany Lutheran Church of Bainbridge Island.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

February 9, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3495,
 SUBSTITUTE SENATE BILL NO. 4136,
 SENATE BILL NO. 4468,
 SENATE BILL NO. 4476,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4505,
 SENATE BILL NO. 4512,
 SENATE BILL NO. 4584,
 SENATE BILL NO. 4635,
 SENATE BILL NO. 4636,
 ENGROSSED SENATE BILL NO. 4638,
 ENGROSSED SENATE BILL NO. 4640,
 SENATE BILL NO. 4706,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1166, by Representatives Teutsch, Tupper and Mitchell:

AN ACT Relating to duplication of manufactured products; creating a new chapter in Title 19 RCW; defining crimes; and providing penalties.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1167, by Representatives McGinnis, King (J) and Amen:

AN ACT Relating to medical assistance; amending section 74.09.010, chapter 26, Laws of 1959 as last amended by section 18, chapter 6, Laws of 1981 1st ex. sess. and RCW 74.09.010; and adding new sections to chapter 74.09 RCW.

To Committee on Human Services

HOUSE BILL NO. 1168, by Representative Cantu:

AN ACT Relating to property taxation; amending section 84.08.130, chapter 15, Laws of 1961 as last amended by section 1, chapter 290, Laws of 1977 ex. sess. and RCW 84.08.130; amending section 2, chapter 155, Laws of 1980 and RCW 84.40.030; and adding a new section to chapter 4.84 RCW.

To Committee on Revenue

HOUSE BILL NO. 1169, by Representatives Addison, Hankins and Sanders:

AN ACT Relating to forms and paperwork; adding new sections to chapter 43.41 RCW; and creating a new section.

To Committee on State Government

SENATE BILL NO. 3495, by Senators Wilson, Moore and Sellar:

Extending validity of certificates of emergency medical technicians.

To Committee on Human Services

SUBSTITUTE SENATE BILL NO. 4136, by Committee on Agriculture (originally sponsored by Senator Sellar):

Establishing procedures by which certain property owners may withdraw from irrigation districts.

To Committee on Agriculture

SENATE BILL NO. 4468, by Senator Scott:

Revising laws concerning authorized deductions of retirement pay.

To committee on Appropriations – General Government

SENATE BILL NO. 4476, by Senators Jones and Moore:

Authorizing public agencies to contract with collection agencies.

To Committee on Ethics, Law and Justice

ENGROSSED SUBSTITUTE SENATE BILL NO. 4505, by Committee on Local Government (originally sponsored by Senators Sellar and Talley:

Deleting minimum charge for county treasurer investment service.

To Committee on Local Government

SENATE BILL NO. 4512, by Senators Clarke, Talmadge, Hemstad and Hughes:

Modifying the liability of railroad company employees.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4584, by Senators Hemstad, Hansen, Benitz and Quigg:

Putting Arabian horse racing under parimutuel betting system.

To Committee on Labor and Economic Development

SENATE BILL NO. 4635, by Senators Bluechel and Gaspard (by Department of Retirement Systems request):

Revising laws relating to LEOFF.

To Committee on Appropriations – General Government

SENATE BILL NO. 4636, by Senators Bluechel, Gaspard and Zimmerman (by Department of Retirement Systems request):

Revising laws relating to correction of errors made under retirement systems.

To Committee on Appropriations – General Government

ENGROSSED SENATE BILL NO. 4638, by Senators Scott, Craswell, Bluechel and Zimmerman (by Department of Retirement Systems request):

Providing for lump sum payments of retirement benefits.

To Committee on Appropriations – General Government

ENGROSSED SENATE BILL NO. 4640, by Senators Scott, Zimmerman and Gaspard (by Department of Retirement Systems request):

Revising laws relating to retirement from public service.

To Committee on Appropriations – General Government

SENATE BILL NO. 4706, by Senators Talley, Quigg and Gallagher:

Renaming State Route 504 the Spirit Lake Memorial Highway and correcting its route description.

To Committee on Transportation

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 8, 1982

HOUSE BILL NO. 1, Prime Sponsor: Representative Rosbach, authorizing current use valuation for smaller areas of forest land. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Galloway, Granlund, Hastings, Sanders.

Voting nay: Representatives Brown, Rust.

Not attending: Representatives Flanagan, Vice Chairman; Bond.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 148, Prime Sponsor: Representative Tupper, reducing minimum age qualifications to eighteen for all purposes except alcoholic beverage consumption. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Lewis, Nelson (D), Nickell, O'Brien, Rinehart, Rust.

Not signing report: Representative Kaiser.

Not attending: Representatives Garson, Vice Chairman; Erak, McGinnis, Sprague.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 221, Prime Sponsor: Representative Thompson, authorizing county solid waste disposal districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Brown, Burns, Chamberlain, Cole, Garrett, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

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

Voting nay: Representatives Berleen, James.

Not attending: Representatives Lundquist, Vice Chairman; Brown, Chamberlain, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

February 9, 1982

SUBSTITUTE HOUSE BILL NO. 329, Prime Sponsor: Committee on Local Government, prohibiting liens against a landlord's property for delinquent public service owed by the tenant. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Barrett, Berleen, Brown, Chamberlain, James, Leonard, Tilly, Van Dyken.

Voting nay: Representatives Hine, Ranking Minority Member; Burns, Cole, Garrett, Kreidler, North, Stratton.

Not attending: Representative Tilly.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 448, Prime Sponsor: Representative Nisbet, prohibiting pull-tab beverage containers. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Garrett, Hankins, Lux.

Not attending: Representatives Clayton, Eberle, Flanagan, Monohon, Smith.

Referred to Committee on Appropriations - General Government

February 9, 1982

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 603, Prime Sponsor: Committee on Revenue, creating a Washington state drug enforcement administration. Reported by Committee on Rules.

Referred from Committee on Rules to Select Committee on Drug Trafficking

February 9, 1982

SUBSTITUTE HOUSE BILL NO. 733, Prime Sponsor: Committee on State Government, extending provisions permitting deductions from state retirement benefits. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative McGinnis.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 736, Prime Sponsor: Committee on State Government, allowing the state employees' insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Erak, Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rust, Sprague.

Not signing report: Representatives Walk, Ranking Minority Member; Rinehart.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 829, Prime Sponsor: Representative Padden, restricting the ability of local public officials to mail campaign material at public expense. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not attending: Representatives Ellis, Chairman; Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 836, Prime Sponsor: Committee on State Government, studying the feasibility of veterans' memorial parks and cemeteries. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nickell, O'Brien, Rinehart, Sprague.

Voting nay: Representatives Greengo, Rust.

Not signing report: Representative Nelson (D).

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 852, Prime Sponsor: Committee on Human Services, modifying provisions relating to nursing homes. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representative Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 853, Prime Sponsor: Committee on Human Services, modifying provisions relating to community mental health programs. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representative Winsley.

Rereferred to Committee on Appropriations – Human Services

February 8, 1982

HOUSE BILL NO. 859, Prime Sponsor: Representative Barnes, setting time limits for approval of certain permits under the environmental coordination procedures act. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Eberle, Hine, Isaacson, McCormick, Schmidt, Scott, Sherman, Tupper, Vander Stoep.

Voting nay: Representative Wang.

Not signing report: Representative Bond.

Not attending: Representative Sprague.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 871, Prime Sponsor: Representative Kreidler, modifying provisions relating to funeral directors. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Garrett, Hankins, Lux, Smith.

Not attending: Representatives Eberle, Flanagan, Monohon.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 894, Prime Sponsor: Representative Rosbach, appropriating funds for razor clam programs. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7 after "hundred" strike "thirty-three" and insert "eighteen"

Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Barr, Brekke, Erak, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Valle, Williams, Wilson.

Not attending: Representatives North, Ranking Minority Member; Addison, Dawson, Garson, Rinehart, Stratton, Thompson.

Rereferred to Committee on Appropriations – General Government

February 8, 1982

HOUSE BILL NO. 896, Prime sponsor: Representative Tilly, revising the laws regulating snowmobiles. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Brekke, Lundquist, McDonald, Mitchell, Nickell, Owen, Rinehart, Valle, Williams, Wilson.

Voting nay: Representatives Barr, Wilson.

Changing vote from nay to yea: Representative Wilson.

Not attending: Representatives North, Ranking Minority Member; Dawson, Erak, Garson, Martinis, Stratton, Thompson.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 915, Prime Sponsor: Committee on Transportation, exempting used cars sold by a dealer from emission control testing. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Cantu, Chamberlain, Gallagher, Garson, Hankins, Lundquist, McCormick, Owen, Prince, Smith, Sprague, Walk.

Voting nay: Representatives Bender, Burns, Garrett, Patrick, Sherman.

Not signing report: Representatives Eberle, Erak, Schmidt.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 961, Prime Sponsor: Committee on Revenue, modifying provisions on property tax exemptions. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Not attending: Representatives Flanagan, Vice Chairman; Bond.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 970, Prime Sponsor: Committee on Institutions, providing for warrants of arrest for escaped prisoners. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Nickell, Scott, Struthers, Van Dyken, Walk.

Not attending: Representatives Granlund, Walk.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 978, Prime Sponsor: Representative Smith, modifying provisions relating to hydraulic projects. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 1 after "within" strike "fourteen" and insert "thirty"

Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fancher, Fiske, Hastings, Padden, Prince.

MINORITY recommendation: Do not pass. Signed by Representatives Gallagher, Lux, Sommers.

Voting nay: Representatives Gallagher, Kaiser, Lux, Sommers.

Rereferred to Committee on Appropriations - General Government

February 8, 1982

HOUSE BILL NO. 987, Prime Sponsor: Committee on Appropriations - General Government, placing limitations on certain payments to school employees. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice

Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 991, Prime Sponsor: Representative Van Dyken, providing relief from sales and use taxes paid upon bad debts. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Addison, Bickham, Bond, Galloway, Granlund, Hastings.

Not attending: Representatives Rinehart, Ranking Minority Member; Brown, Rust, Sanders.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 996, Prime Sponsor: Representative Ellis, allowing exemption from attendance at public schools upon basis of religious or personal beliefs of person having custody of child. Reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Armstrong, Cantu, Dickie, Eberle, Ellis, Hine, James, Lewis, McDonald, Vander Stoop, Warnke.

Voting nay: Representatives Valle, Ranking Minority Member; Bender, Eng, Galloway, Maxie.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1010, Prime Sponsor: Committee on Agriculture, exempting certain activities to restore a river or stream site to its preexisting conditions from restrictions on the uses of waterways. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 36 after "activities." insert "However, a person seeking to conduct an activity exempted by this subsection must notify the department of fisheries and game prior to conducting the activity. Notwithstanding the exemption provided by this subsection, the departments may require the activity to be conducted during a particular time of year if conducting the activity at other times would adversely affect a game or anadromous fishery in a significant manner."

Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Amen, Fancher, Fiske, Hastings, Padden, Prince.

MINORITY recommendation: Do not pass. Signed by Representatives Gallagher, Kaiser, Lux.

Voting nay: Representatives Galloway, Ranking Minority Member; Ehlers, Gallagher, Kaiser, Lux, Sommers.

Rereferred to Committee on Appropriations - General Government

February 8, 1982

HOUSE BILL NO. 1041, Prime Sponsor: Representative Fiske, applying the marketing contract provisions to foreign agricultural cooperative associations. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fancher, Fiske, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Gallagher, Lux.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1047, Prime Sponsor: Representative Johnson, authorizing dentists qualified in anesthesiology to administer anesthetics for any operation. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, Houchen, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representative Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1067, Prime sponsor: Committee on Transportation, updating statutory references within the Model Traffic Ordinance. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not signing report: Representatives Eberle, Garrett.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1072, Prime Sponsor: Committee on Institutions, designating a portion of a state-employed chaplain's salary as rental value for a home. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Granlund, Scott, Struthers, Van Dyken.

Voting nay: Representatives Owen, Ranking Minority Member; Berleen, Nickell.

Not attending: Representative Walk.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1083, Prime Sponsor: Committee on Education, implementing law relating to elections to state board of education and educational service districts. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Cantu, Dickie, Eng, Galloway, James, Lewis, Maxie, Vander Stoep, Warnke.

Voting nay: Representative McDonald.

Not attending: Representatives Eberle, Ellis, Hine.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1084, Prime Sponsor: Committee on Education, clarifying law relating to terms and qualifications of state board of education members. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Cantu, Dickie, Galloway, James, Lewis, Maxie, Vander Stoep.

Voting nay: Representatives McDonald, Warnke.

Not signing report: Representative Eng.

Not attending: Representatives Eberle, Ellis, Hine.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1112, Prime Sponsor: Committee on Institutions, abolishing the governor's council on criminal justice. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken.

Not attending: Representatives Struthers, Walk.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1119, Prime Sponsor: Committee on Ethics, Law and Justice, requiring shifts in campaign funds to be reported on a separate page of the public disclosure report. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Not attending: Representatives Bickham, Schmidt, Wang, Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1121, Prime Sponsor: Committee on Ethics, Law and Justice, requiring legislators to report certain contracts with governmental units. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Voting nay: Representatives Armstrong, Becker.

Not attending: Representatives Ellis, Chairman; Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1125, Prime Sponsor: Committee on Ethics, Law and Justice, limiting fund raising activities during legislative sessions. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang.

Not signing report: Representative Armstrong.

Not attending: Representative Winsley.

Passed to Committee on Rules for second reading.

February 8, 1982

HOUSE BILL NO. 1144, Prime Sponsor: Committee on Institutions, establishing criteria for state funding of remodeling jails for use as holding facilities. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Van Dyken.

Not signing report: Representative Struthers.

Not attending: Representative Walk.

Passed to Committee on Rules for second reading.

February 9, 1982

SENATE BILL NO. 4199, Prime Sponsor, Senator Craswell, establishing the Frances Haddon Morgan Children's Center as a state residential school. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 956, by Committee on Local Government and Representative Isaacson:

Requiring port district contracts for work and materials over \$30,000 to be by competitive bid.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 956 was substituted for House Bill No. 956, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 956 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 956, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 956, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1024, by Representatives McGinnis, Brown, Johnson, Stratton, Lewis, Leonard, Sanders and Granlund:

Requiring the use of sheltered workshops for printing services for state agencies and departments under certain circumstances.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1024 was substituted for House Bill No. 1024, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1024 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1024, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 1024, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1033, by Committee on Labor and Economic Development and Representatives Sanders and Clayton:

Modifying provisions relating to unemployment compensation.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Brekke:

On page 15, beginning on line 9 after "weeks." strike all the material down to and including "misconduct." on line 11

Representatives Lux, Brekke and King (J) spoke in favor of the amendment, and Representatives Sanders, Bond, Chandler and Flanagan spoke against it.

Mr. Lux spoke again in favor of the amendment.

The amendment was not adopted.

House Bill No. 1033 was passed to Committee on Rules for third reading.

The Speaker assumed the Chair.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "Several of our members, Mr. Speaker, were looking at the rather busy schedule this afternoon in committees and it was pointed out by some members who are members of the Transportation Committee and those of the Financial Institutions and Insurance Committee, that both groups are going to be dealing with mandatory auto insurance. Both committees are at the same time and they are wondering if it would be possible for them to be consolidated because some members would like to attend one or the other of them, and they are afraid they will lose some information since both committees are having hearings on the same subject matter?"

The Speaker called on Mr. Nelson (G) to reply.

Mr. Nelson (G): "I've had an opportunity to talk to the two committee chairmen, and the Transportation Committee would take care of this particular issue at the very beginning of their hearing, and then the Financial Institutions Committee would take it up at the very end. I want to point out that Financial Institutions has already heard the bill once and the only reason that a similar measure of some scope involving this was in Transportation Committee is that the Traffic Safety Subcommittee of that committee has been addressing this issue, and they want a chance to once again look at it. To accommodate those who might want to go to both, that will be the schedule."

Mr. Ehlers: "Mr. Speaker, there has been some concern on our side regarding the cut-off. Some committee chairmen have expressed in committee to some of our members a very definite cut-off statement in the House as to what House bills are going to be considered in committee. Others have given less definite statements. We have in our possession a copy of a Republican resolution saying that the House was going to have cut-off resolutions a week from this Friday; others have said it's going to be this Friday, and we're wondering, first of all, what the decision is regarding the rolling cut-off date, and can we have a statement on that? When is the cut-off?"

The Speaker: "Are you finished, Representative Ehlers?"

Mr. Ehlers: "With the first part of my question, yes."

The Speaker: "What's the second part?"

Mr. Ehlers: "If we, in fact, do have a written cut-off resolution, and thirdly, if we do or if we don't, what exemptions do we have to the cut-off?"

The Speaker called on Mr. Hastings to reply.

Mr. Hastings: "I guess we're coming to that time of the session when you start saying: 'What are we doing and what are we not doing.' We're over halfway through this session, Representative Ehlers, and it seems to me what you're saying is: 'Gosh, you've been doing nothing for thirty days and now all of a sudden you're saying, wait a minute, we don't have the rules and you're changing the rules in the middle of the game.' What we're trying to do in going through this process is to have some flexibility in the process. What we ought to do is get on with the business of the state rather than sit here and take up this time. We have a large

calendar here, and we're trying to get on with the business of the state. You keep saying we have to have cut-offs and we have to have rules, and certainly we do, and we're trying to follow those rules, but we're being flexible in trying to do what we can do. It seems to me this is another case of slowing down the process. I think we ought to get on with the business and come to a conclusion in sixty days or less. That's what we're trying to do."

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, it's my understanding that the relative terms of parliamentary inquiry would direct the Speaker to respond and not have someone else respond to a point of parliamentary inquiry. It does not open the subject to a discussion of my point of parliamentary inquiry."

SPEAKER'S RULING

The Speaker: "Frankly, Representative Ehlers, you did not raise a point of parliamentary inquiry. All you did was raise some questions about the procedures of the House and it seemed best at that time to allow the leadership of the majority party to respond as to what the procedures were. There was no parliamentary inquiry raised."

The Speaker declared the House to be at ease.

The Speaker called the House to order.

SENATE AMENDMENTS TO HOUSE BILL

February 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 787 with the following amendments:

On page 5, after line 9, insert the following:

"T 901
T 902
T 903
T 904
T 905
T 906"

On page 5, after line 13 insert the following:

"T 911
T 912
T 913
T 914
T 915
T 916
T 917
T 918
T 919"

On page 5, line 15, strike "The city of Everett"

On page 5, beginning on line 30 strike all material down to and including "Everett" on line 32 and insert "T 519.04 (part: the part that is not in the Forty-fourth legislative district)"

On page 5, line 33 after "T 520" strike all of the material down to and including "148th St. S.E. and" on line 34

On page 6, line 1 strike "extension thereof"

On page 6, line 2 after "T 521.02" strike "(part: B 114-129)"

On page 6, line 17 strike all of the material beginning on line 17 down through and including "districts" on line 18

On page 8, line 22 strike "T 918 (part: BG 2)"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Prince moved that the House do not concur in the Senate amendments to Substitute House Bill No. 787.

Mr. Nelson (G), moved that the House do concur in the Senate amendments to Substitute House Bill No. 787.

Representatives Bender, King (R) and Mitchell spoke in favor of the motion to concur, and Mr. Prince spoke against it.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

Representatives Ehlers and Martinis spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 787, and the motion was lost by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Mitchell, Nelson D., Nelson G. A., O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Thompson, Valle, Walk, Wang, Warnke, Wilson.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Monohon, Nickell, Nisbet, North, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Winsley, and Mr. Speaker.

MOTION

On motion of Mr. Hastings, Substitute House Bill No. 787, along with the message stating the House refused to concur in the Senate amendments and ask them to recede therefrom, was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

MOTIONS

On motion of Mr. Nelson (G), the Committee on Appropriations - Human Services was relieved of HOUSE BILL NO. 851, and it was referred to Committee on Rules.

On motion of Mr. Nelson (G), the House recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1170, by Representative Hankins, Nickell, Schmidt, Addison, Struthers, Smith, Barrett and Ellis:

AN ACT Relating to campgrounds; amending section 2, page 96, Laws of 1890 as last amended by section 1, chapter 21, Laws of 1974 ex. sess. and RCW 19.48.110; adding a new section to chapter 19.48 RCW; and defining crimes.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1171, by Representative Sherman:

AN ACT Relating to solid waste disposal; and adding a new section to chapter 70.95 RCW.

To Committee on Local Government

HOUSE BILL NO. 1172, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to local improvements; and amending section 35.43.040, chapter 7, Laws of 1965 as last amended by section 1, chapter 17, Laws of 1981 and RCW 35.43.040.

To Committee on Local Government

HOUSE BILL NO. 1173, by Committee on Local Government and Representatives Isaacson, Hine, Sommers, Cole and Tupper:

AN ACT Relating to hospitals; amending section 36.62.110, chapter 4, Laws of 1963 as amended by section 2, chapter 36, Laws of 1967 ex. sess. and RCW 36.62.110; and amending section 36.62.140, chapter 4, Laws of 1963 and RCW 36.62.140.

To Committee on Local Government

HOUSE BILL NO. 1174, by Committee on Ways and Means and Representatives Chandler and Wang:

AN ACT Relating to election costs for major public energy projects; amending section 5, chapter 6, Laws of 1981 2nd ex. sess. and RCW 80.52.050; and providing an effective date.

To Committee on Ways and Means

HOUSE BILL NO. 1175, by Committee on Financial Institutions and Insurance and Representatives King (J), Eng, Barrett, Wang and Burns:

AN ACT Relating to housing for low-income persons; adding a new chapter to Title 43 RCW; prescribing penalties; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1176, by Committee on Appropriations - General Government and Representative Williams:

AN ACT Relating to the department of general administration; making an appropriation; and declaring an emergency.

To Committee on Appropriations - General Government

HOUSE BILL NO. 1177, by Representatives Becker, Van Dyken, Warnke and Eberle:

AN ACT Relating to telegraph and telephone rates; and amending section 80.36.140, chapter 14, Laws of 1961 and RCW 80.36.140.

To Committee on Energy and Utilities

HOUSE BILL NO. 1178, by Committee on Local Government and Representative Isaacson:

AN ACT Relating to electrical inspections; and amending section 3, chapter 325, Laws of 1959 as last amended by section 1, chapter 97, Laws of 1967 ex. sess. and RCW 19.28.360.

To Committee on Local Government

HOUSE BILL NO. 1179, by Committee on Financial Institutions and Insurance and Representatives Dawson, McGinnis, Bickham, Scott, Martinis and Erak:

AN ACT Relating to personal property leasing; adding a new section to chapter 19.52 RCW; adding a new section to chapter 63.14 RCW; and adding a new chapter to Title 63 RCW.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1180, by Representatives Lundquist and Fiske:

AN ACT Relating to the election of county commissioners; amending section 36.32.020, chapter 4, Laws of 1963 as amended by section 1, chapter 58, Laws of 1970 ex. sess. and RCW 36.32.020; and amending section 36.32.040, chapter 4, Laws of 1963 and RCW 36.32.040.

To Committee on Local Government

HOUSE JOINT RESOLUTION NO. 24, by Representatives Nelson (D), Greengo, Brekke, Tupper, Armstrong and Burns:

Authorizing legislature to permit current use valuation for property taxation of lands with water dependent uses.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 25, by Representatives Patrick and Bickham:

Amending the Constitution to permit nonlawyers to prepare property sale forms.

To Committee on Ethics, Law and Justice

MOTION

On motion of Mr. Nelson (G), the bills and resolutions listed on today's supplemental agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 9, 1982

SUBSTITUTE HOUSE BILL NO. 95, Prime Sponsor: Committee on State Government, removing 30-day limit on the amount of vacation leave state employees may accrue. Reported by Committee on State Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative McGinnis.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 815, Prime Sponsor: Representative Dawson, regulating specified disease insurance. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Bond, Dickie, King (R), McGinnis, Salatino, Scott.

Not attending: Representatives Lux, Ranking Minority Member; Eng, Monohon, Nisbet, Rosbach, Sanders.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 838, Prime Sponsor: Committee on State Government, requiring agencies to review administrative rules. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 860, Prime Sponsor: Representative Mitchell, modifying provisions relating to day-care services. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Fiske, Houchen, Leonard, Padden, Stratton, Vander Stoep, Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Kreidler, Ranking Minority Member; Cole, King (J), Pruitt, Wang.

Voting nay: Representatives Kreidler, Ranking Minority Member; Cole, King (J), North, Pruitt, Teutsch, Wang.

Changing from Nay to Aye: Representative Fiske.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 891, Prime Sponsor: Committee on Financial Institutions and Insurance, modifying the regulation of medicare supplemental insurance policies. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Bond, Dickie, King (R), McGinnis, Salatino, Scott.

Not attending: Representatives Lux, Ranking Minority Member; Eng, Monohon, Nisbet, Rosbach, Sanders.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 965, Prime Sponsor: Committee on Institutions, authorizing the request of local law enforcement agencies assistance during prison riots. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Nickell, Scott, Struthers, Van Dyken, Walk.

Not attending: Representatives Granlund, Walk.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 973, Prime Sponsor: Representative Wang, providing for reduced temperature settings of residential water heaters. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Fiske, King (J), North, Pruitt, Stratton, Vander Stoep, Wang, Winsley.

Voting nay: Representatives Houchen, Padden.

Not attending: Representatives Leonard, Teutsch.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1015, Prime Sponsor: Representative Greengo, providing for the construction of the state convention and trade center. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1030, Prime Sponsor: Committee on Energy and Utilities, modifying maximum per customer income levels for excluded water companies. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 29 after "October" insert "1"

Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Hine, Isaacson, McCormick, Scott, Sherman, Sprague, Vander Stoep.

Not attending: Representatives Bond, Eberle, Schmidt, Tupper, Wang.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1039, Prime Sponsor: Representative Eberle, removing authority of state liquor stores to sell beer and wine. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brown, Clayton, Eberle, Flanagan, Hankins, Monohon, Smith.

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

Voting nay: Representatives Brekke, Cole, Garrett, Lux.

Referred to Committee on Appropriations - General Government

February 9, 1982

HOUSE BILL NO. 1069, Prime Sponsor: Representative Leonard, making autopsies mandatory in certain cases. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Fiske, Houchen, Leonard, Padden, Pruitt, Stratton, Vander Stoep.

Voting nay: Representatives Cole, King (J), North, Winsley.

Not signing report: Representative Wang.

Not attending: Representative Teutsch.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1071, Prime Sponsor: Representative Erak, allowing commercial fishermen to sell fish directly to consumers from their boats once in port. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Brekke, Erak, Garson, Lundquist, Martinis, McDonald, Thompson, Valle.

Not voting: Representative Barr.

Not signing report: Representative Nickell.

Not attending: Representatives North, Ranking Minority Member; Dawson, Mitchell, Owen, Rinehart, Stratton, Williams, Wilson.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1120, Prime Sponsor: Committee on Ethics, Law and Justice, requiring legislators to report continuing compensation arrangements during legislative sessions. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Patrick, Pruitt, Tupper, Wang.

Voting nay: Representatives Padden, Vice Chairman; Tilly.

Not signing report: Representative Granlund.

Not attending: Representatives Bickham, Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1122, Prime Sponsor: Committee on Ethics, Law and Justice, requiring legislators to report the receipt of honorariums. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Not attending: Representatives Bickham, Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1131, Prime Sponsor: Representative Flanagan, revising the Commercial Feed Act. Reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Fancher, Fiske, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Ehlers.

Passed to Committee on Rules for second reading.

February 9, 1982

HOUSE BILL NO. 1156, Prime Sponsor: Committee on Local Government, permitting the establishment of cultural arts, stadium, and convention districts. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Hine, Ranking Minority Member; Barr, Brown, Burns, Chamberlain, Cole, Garrett, Kreidler, North, Stratton, Tilly.

MINORITY recommendation: Do not pass. Signed by Representatives Lundquist, Vice Chairman; Barrett, Berleen, James, Leonard.

Not signing report: Representative Van Dyken.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

February 10, 1982

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 787, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

HOUSE BILL NO. 968, by Committee on Institutions and Representatives Houchen, Owen and Struthers (by Department of Corrections request):

Defining correctional institutions that contain prisoners sentenced from other jurisdictions.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 968, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 968, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1058, by Committee on Labor and Economic Development and Representatives Sanders, Clayton, King (J) and Warnke (by Department of Labor and Industries and Legislative Budget Committee requests):

Modifying provisions relating to the department of labor and industries.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 3, 1982.)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1058, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Kaiser, Smith.

Engrossed House Bill No. 1058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1036, by Committee on Higher Education and Representative Teutsch:

Implementing law relating to vendor payments by treasurer for state board for community college education.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Teutsch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1036, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Leonard.

House Bill No. 1036, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 849, by Representatives Taylor, Galloway, Lundquist, Mitchell, James, Nisbet, Chandler, Johnson, Wilson, Padden, Tilly, Barnes, Kreidler, Amen and Barr:

Making miscellaneous changes in laws relating to education.

The bill was read the second time. On motion of Mr. Taylor, Substitute House Bill No. 849 was substituted for House Bill No. 849, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 849 was read the second time.

Mr. Cantu moved adoption of the following amendment by Representatives Cantu and McDonald:

Beginning on page 5, line 15 strike all of section 5 and renumber the remaining sections consecutively.

Mr. Cantu spoke in favor of the amendment, and Representatives Taylor and Galloway spoke against it.

Mr. Cantu spoke again in favor of the amendment.

The amendment was not adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 849, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Ehlers.

Substitute House Bill No. 849, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 999, by Representatives Fiske, Lundquist and McDonald:

Authorizing island library districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 24th Day, February 3, 1982.)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 999, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed House Bill No. 999, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1017, by Representatives Barrett, Granlund, Bickham, King (J), Schmidt, Kreidler, Sanders, Brekke, Johnson, Kaiser, Houchen, Cole, Prince, Lux, Owen, Stratton, Smith, Chamberlain, Ehlers, Heck, McGinnis and Struthers:

Modifying the law on camping clubs.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden,

Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 1017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1066, by Committee on Institutions and Representative Houchen:

Modifying provisions relating to the criminal justice training commission.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass with the following amendment:

On page 2, line 4 after "years))" insert ", subject to the approval of the department of general administration"

On motion of Ms. Houchen, the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1066, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed House Bill No. 1066, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 875, by Representatives Lundquist, Walk and Addison (by Governor Spellman request):

Providing for review of certain agencies under the Sunset Act.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 875 was substituted for House Bill No. 875, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 875 was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Owen:

On page 7, line 9 after "June 30," strike "1986" and insert "1984"

Mr. Tilly spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Tilly, you tell us this is for the Hospital Commission and you say that you thought the Legislative Budget Committee could handle it three years earlier. To whom did you speak from the staff?"

Mr. Tilly: "Mr. Don Peterson."

Mr. Ehlers: "It was his judgment that the schedule of LBC could handle it earlier than originally indicated?"

Mr. Tilly: "That is correct."

The amendment was adopted.

Mr. Addison moved adoption of the following amendments by Representatives Addison and Nelson (D):

On page 8, line 29 after "June 30," strike "1984" and insert "1983"

On page 8, line 34 after "June 30," strike "1985" and insert "1984"

Mr. Addison spoke in favor of the amendments, and Ms. Galloway spoke against them.

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Ehlers.

Mr. Ehlers: "Did you talk to someone on the staff at LBC and did they indicate they could also handle this early?"

Mr. Addison: "Representative Ehlers, yes, we did talk to Don Peterson and he thought they could to this by the required time."

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Addison, since we're changing all these by one year, would you explain to me what each one of the subsections is, under section 12?"

Mr. Addison: "To briefly review what's in the bill: The Board of Pharmacy would terminate on June 30, 1984; the Board of Accountancy, on June 30, 1984; the Department of Emergency Services, 1984; The Department of Veterans' Affairs, currently, 1984, but there will be an amendment on your desks to do that in 1988; the Hospital Commission, currently, 1986, but with the adoption of the Tilly amendment, 1984; and with the current amendment, if adopted, the Monolithic Act in 1983."

The amendment was adopted.

MOTION

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 875 was deferred and it was ordered placed on the second reading calendar immediately following Substitute House Bill No. 858.

HOUSE BILL NO. 955, by Committee on Human Services and Representative Mitchell:

Revising laws regulating public hospital districts.

The bill was read the second time.

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

On page 8, line 3 after "officers" insert "within their authority"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Mitchell yielded to question by Mr. Lux.

Mr. Lux: "Representative Mitchell, I noticed in here that the per diem is raised from \$25 to \$40. Is that true?"

Mr. Mitchell: "Yes."

Mr. Lux: "Is that in keeping with the President's efforts for more volunteerism? This seems to fly in the face of volunteerism."

Mr. Mitchell: "That's in accord with the present per diem of all other commissions."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 955, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald,

McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed House Bill No. 955, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

On motion of Mr. Nelson (G), ENGROSSED SUBSTITUTE HOUSE BILL NO. 786 was returned to Committee on Rules.

SUBSTITUTE HOUSE BILL NO. 593, by Committee on State Government (originally sponsored by Committee on State Government and Representatives Addison, Berleen, Garson, Pruitt, Walk, Wang, Ellis, Patrick, Burns, Rust and Brown):

Protecting state employees who report improper governmental action.

The bill was read the third time.

MOTION

Mr. Nelson (G) moved that the rules be suspended, and the bill be returned to second reading for amendment.

Mr. Walk spoke against the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Does this require two-thirds vote?"

The Speaker: "Yes, it will require two-thirds."

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return Substitute House Bill No. 593 to second reading, and the motion was lost by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative Teutsch.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 593.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 593, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Fancher, Nickell.

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

SUBSTITUTE HOUSE BILL NO. 17, by Committee on Revenue (originally sponsored by Representative Sprague):

Modifying the 106% limit.

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

Representatives Greengo and Sprague spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 17, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 17, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 22, by Representative Sprague:

Making it unlawful to sell, give, dispose, or deliver explosives to persons under eighteen.

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

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

POINT OF INQUIRY

Mr. Sprague yielded to question by Mr. Ehlers.

Mr. Ehlers: "I notice in the fiscal note on this bill that the proposed legislation would appear to be in conflict with federal law which requires a minimum age of twenty-one for the legal use or possession of explosives. Could you explain if this is true or not true?"

Mr. Sprague: "I do not know. I know we had a hearing on it and several people who were involved in the bill wanted the age of eighteen in there, the PTA, for example, but the Sheriff's Department said the federal laws would not even work, so we're taking the bull by the horns ourselves."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 22, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Sherman.

Engrossed House Bill No. 22, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 319, by Committee on Human Services and Representative Mitchell:

Revising laws relating to life sustaining procedures.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 319, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 319, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 519, by Committee on Local Government and Representative Isaacson:

Modifying procedures for forming and financing local improvement districts.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 519, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Leonard, Thompson, Warnke.

Engrossed House Bill No. 519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 527, by Committee on State Government and Representatives Rosbach and North:

Continuing the state board on geographic names.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 527, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Sommers.

Engrossed House Bill No. 527, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 641, by Representative Nickell:

Requiring that county auditors record plats of public land surveys.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 641, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed House Bill No. 641, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 634, by Committee on State Government (originally sponsored by Representatives Van Dyken, Brown, Isaacson and Addison):

Modifying environmental coordination procedures.

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

Mr. Van Dyken spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 634, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 634, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 922, by Committee on Institutions (originally sponsored by Representatives Amen, Williams, Sommers, Greengo, Nelson, G., Struthers, Houchen, Thompson and Becker - by Legislative Budget Committee request):

Authorizing the parole board to reduce prison overcrowding.

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

Representatives Amen, Struthers, Becker and Houchen spoke in favor of passage of the bill, and Representatives Patrick, Owen, Van Dyken and Grimm spoke against it.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 922, and the bill failed to pass the House by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bond, Brekke, Cole, Eberle, Ellis, Fancher, Fiske, Galloway, Granlund, Greengo, Hankins, Hastings, Houchen, James, King R., Lux, Maxie, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, Padden, Prince, Pruitt, Rust, Sommers, Sprague, Struthers, Thompson, Valle, Van Dyken, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Bender, Berleen, Bickham, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ehlers, Eng, Erak, Flanagan, Gallagher, Garrett, Garson, Grimm, Heck, Hine, Isaacson, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Monohon, O'Brien, Owen, Patrick, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Stratton, Taylor, Teutsch, Tilly, Tupper, Vander Stoep, Walk, Wang, Wilson, Winsley.

Engrossed Substitute House Bill No. 922, having failed to receive the constitutional majority, was declared lost.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1092 was rereferred from Committee on Labor and Economic Development to Committee on Revenue.

NOTICE OF RECONSIDERATION

Mr. Burns, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 922 failed to pass the House.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 875:

The House resumed consideration of the bill on second reading.

On motion of Mr. Addison, the following amendments by Representatives Addison, Walk, Kaiser, Tupper and Bender were adopted:

- On page 4, line 31 after "30," strike "1984" and insert "1988"
- On page 5, line 9 after "June 30," strike "1985" and insert "1989"
- On page 10, line 19 strike "1984" and insert "1988"
- On page 10, line 24 strike "1984" and insert "1988"
- On page 10, line 30 strike "1985" and insert "1989"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 875, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Substitute House Bill No. 875, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eleventh order of business.

POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Hastings, earlier today you spoke about the precedent on the House floor, and we certainly, I think, have cooperated today and passed many meritorious

bills through the House, and I'm sure the state will be better for it. I noticed we just got on our desks a new schedule and there are three rolling recesses next week. Since you made the remarks this morning, why do we have three rolling recesses instead of the press of business?"

Mr. Hastings: "Representative Ehlers, I think what I said was 'getting on with the business,' but the reason why, is that's kind of been decided, I guess, that we will start looking over a lot of the Senate measures that are coming over. As you know, they've been very active over there. They have the same problems we have over here that was experienced this morning, they kept slowing down, so we want to give a lot of consideration to some of those bills that are coming over here."

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, February 11, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 11, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kari Nelson and Catherine McKay. Prayer was offered by The Reverend Paul McCann of the United Churches of Olympia.

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

MESSAGE FROM THE SENATE

February 10, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3946,
SUBSTITUTE SENATE BILL NO. 4469,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 787.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1181, by Representatives Flanagan, Smith, Bond and Thompson:

AN ACT Relating to mineral interests; and adding a new chapter to Title 78 RCW.

To Committee on Natural Resources and Environmental Affairs

HOUSE BILL NO. 1182, by Committee on Revenue and Representatives Chandler and Monohon:

AN ACT Relating to wood product processing facilities; adding a new chapter to Title 82 RCW; and adding a new section to chapter 84.36 RCW.

To Committee on Revenue

HOUSE BILL NO. 1183, by Committee on Revenue and Representatives Nisbet, Greengo and Nelson (D):

AN ACT Relating to property taxes; amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; creating a new section; and making an appropriation.

To Committee on Revenue

HOUSE BILL NO. 1184, by Committee on Local Government and Representatives Isaacson, Sanders and King (R):

AN ACT Relating to local government; adding a new section to chapter 35.21 RCW; and creating a new section.

To Committee on Local Government

HOUSE CONCURRENT RESOLUTION NO. 39, by Representatives Valle and Brekke:

Creating a select committee to study the shorelines management act.

To Committee on Rules

SUBSTITUTE SENATE BILL NO. 3946, by Committee on Transportation (originally sponsored by Senator Talley):

Modifying the aircraft fuel excise tax.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 4469, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Patterson, Hansen and Vognild):

Advancing construction of interstate highways.

To Committee on Transportation

MOTION

On motion of Mr. Nelson (G), the bills and resolution listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 10, 1982

HOUSE BILL NO. 919, Prime Sponsor: Representative Heck, providing acknowledgment of high school academic excellence and admission to certain state universities upon meeting certain course requirements. Reported by Committee on Rules.

Referred from Committee on Education to Committee on Higher Education.

February 10, 1982

HOUSE BILL NO. 952, Prime Sponsor: Representative Schmidt, granting the transportation commission and department initial authority to insure operation of the ferry and toll bridge system in an emergency. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Cantu, Chamberlain, Eberle, Garson, Hankins, Lundquist, Owen, Schmidt, Smith, Sprague.

MINORITY recommendation: Do not pass. Signed by Representatives Martinis, Ranking Minority Member; Bender, Burns, Gallagher, Garrett, Patrick, Prince, Sherman, Walk.

Voting nay: Representatives Martinis, Ranking Minority Member; Bender, Burns, Gallagher, Garrett, McCormick, Patrick, Prince, Sherman, Walk.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 997, Prime Sponsor: Representative McDonald, abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass. Signed by Representatives McDonald, Chairman; James, Vice Chairman; Warnke, Ranking Minority Member; Eng, Fancher, Grimm, Heck, Nelson (G), Salatino, Taylor Teutsch, Chandler, Chairman, Committee on Ways and Means.

Not attending: Representatives Barrett, Grimm.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 998, Prime Sponsor: Representative Chandler, authorizing increase in levies for school district maintenance and operation purposes. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, following section 1 add a new section as follows and renumber the remaining sections consecutively:

*Sec. 2. Section 3, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.053 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by school districts, when authorized so to do by the electors of such school district in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by

Amendment 59 and as thereafter amended, at a special or general election to be held in the year in which the levy is made or, in the case of a proposition authorizing levies for support of a school district for a two year period, at a special or general election to be held in the year in which the first annual levy is made: **PROVIDED**, That once additional tax levies have been authorized for the support of a school district for a two year period, no further additional tax levies for the support of the district for that period may be authorized unless such levies are necessary to raise a total excess levy dollar amount sufficient to utilize the full levy qualification determined under RCW 84.52.0531 (1) and (5).

A special election may be called and the time therefor fixed by the board of school directors, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'."

In line 4 of the title after "84.52.0531;" and before "creating" insert "amending section 3, chapter 325, Laws of 1977 ex. sess. and RCW 84.52.053;"

Signed by Representatives McDonald, Chairman; Barrett, Eng, Fancher, Salatino, Teutsch, Chandler, Chairman, Committee on Ways and Means.

MINORITY recommendation: Do not pass: Signed by Representatives Warnke, Ranking Minority Member; Grimm, Heck, Taylor.

Voting nay: Representatives James, Vice Chairman; Warnke, Ranking Minority Member; Grimm, Heck, Nelson (G), Taylor.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1002, Prime Sponsor: Representative McCormick, extending the annual license fee on the use of natural gas and propane in motor vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 8 after "fuels" strike all of the material down to and including "(1983)" on line 9 and insert "until July 1, ((1983)) 1985"

Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague.

Not signing report: Representative Walk.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1057, Prime Sponsor: Representative Clayton, requiring mandatory auto liability insurance. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Garrett, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Smith, Sprague, Walk.

Voting nay: Representatives Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Gallagher, Garson, Schmidt, Sherman.

Not attending: Representatives Eberle, Erak.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1064, Prime Sponsor: Committee on Appropriations - General Government, revising requirements for audits of the criminal history record information systems. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1074, Prime Sponsor: Representative Smith, authorizing banks or trust companies to make certain investments. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 7 after "associations" insert ", federal intermediate credit banks"

Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1078, Prime Sponsor: Representative Prince, appropriating funds for a waste water treatment plant at Washington State University. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass. Signed by Representatives McDonald, Chairman; Warnke, Ranking Minority Member; Barrett, Eng, Fancher, Grimm, Heck, Nelson (G), Salatino, Taylor, Teutsch.

Voting nay: Representative James, Vice Chairman.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1080, Prime Sponsor: Representative Struthers, providing for distribution of session laws and House and Senate Journals. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1087, Prime Sponsor: Committee on Appropriations - General Government, providing for salmon enhancement projects. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 15 after "salmon;" strike "and"

On page 1, line 18 after "fishing" strike "industries." and insert "industries; and"

On page 1, after line 18 insert the following:

"(3) Provide maximum utilization of existing salmon stocks."

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1089, Prime Sponsor: Committee on Institutions, providing for institutional education for juveniles. Reported by Committee on Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Berleen, Granlund, Nickell, Scott, Struthers, Walk.

Not attending: Representatives Owen, Ranking Minority Member; Van Dyken.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1162, Prime Sponsor: Committee on Appropriations - General Government, providing for an intensive management plan for geoducks. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE JOINT RESOLUTION NO. 20, Prime Sponsor: Representative McDonald, removing forty percent validation requirement for excess levy elections. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass. Signed by Representatives McDonald, Chairman; James, Vice Chairman; Warnke, Ranking Minority Member; Eng, Fancher, Grimm, Heck, Nelson (G), Salatino, Taylor, Teutsch, Chandler, Chairman, Committee on Ways and Means.

Not attending: Representative Barrett.

Passed to Committee on Rules for second reading.

POINT OF PERSONAL PRIVILEGE

Mr. Nisbet: "Last November I responded to a letter written by a concerned parent of a developmentally disabled child. Although I attempted to make my feelings clear, I apparently failed to do so. Because I chose to use a certain phrase to graphically describe what I believe to be a repugnant attitude prevalent in some of our institutional programs, I have since been accused of not being compassionate, of leading some sort of 'campaign' against the developmentally disabled, and some have suggested that I be removed as Chairman of the Appropriations - Human Services Committee.

"In fairness to my family, to my colleagues in the legislature, both Republican and Democrat, and in fairness to the people of the state of Washington, I wish to clarify my remarks so that no one will misunderstand my meaning or my attitude toward the developmentally disabled or any others in our state institutions. Unfortunately, I have been denied the opportunity to adequately respond in the news media, therefore, I must use the privilege of speaking here on the floor of the House.

"A great deal has been said about certain words I used. Well, those who know me, know that I am someone who is used to giving and receiving straight talk. I try hard not to hurt people's feelings, but I also try hard to tell the truth. Sometimes you just can't have it both ways.

"When I wrote to Mrs. Hovig, I said—and I quote—I do not believe that God holds any human being in higher regard than another, particularly myself. I do believe that every human being is entitled to reach as high a level of understanding and attainment as he or she is capable of reaching.' I have always said that I believe that in many cases we are pursuing a policy of placation and sedation and so I wrote: 'When there is a person inside, doing this with drugs or other techniques seems to me to be less than desirable, no matter how many millions of dollars we are spending.' Now, some people have interpreted those words to mean that I regard developmentally disabled and others in our institutions as less than human. I do not! I regard them as human beings who are entitled to be treated as such and who are deserving of every opportunity to attain their highest potential — a right we all share.

"What I am saying is this: There are some people in our system of public institutions who are treated as if they are less than human, and there are some policies in some of our institutions that foster the use of drugs and other methods of so-called 'treatment' which are aimed more at the convenience of the system than at helping those who are institutionalized.

"We like to think that we are sophisticated and that we have left behind us the days when we took people who society did not regard as normal and simply locked them away—'out of sight, out of mind'—was the institutional philosophy.

"Well, we may have stopped some practices like routine lobotomies and using cattle prods, but pharmaceutical research has produced some awfully close substitutes. This may make us more 'sophisticated,' but it doesn't make us more humane or more compassionate.

"The jobs of those who administer our institutions are not easy, and I would not take anything away from the men and women who work to provide the best possible care they know how, but this does not change the fact that there are those who would use our state institutions as dumping grounds for their unwanted, and it does not change the fact that some of the policies we continue to follow have been formulated more for the convenience of the system than for the benefit of human beings.

"It is easy enough to take someone like me and use my words to create a media event. Every time a public official opens his mouth he takes a chance at becoming a target. That's why so many politicians either choose to say and do nothing, or take a survey first to see what the majority wants to hear.

"My question to all of you and to the representatives of the news media is this: When are we going to seriously focus on the real issues?

"If there is a real interest in humanitarianism and compassion, why is this not reflected in our institutional policies? Why, for example, has there not been a major revision of our mental health laws, such as the legislation that last year passed out of this House 95-0, but failed to win public support for passage in the Senate?

"Some may want to judge my compassion on the basis of words, but a society's compassion is judged on action and there are, ladies and gentlemen, hundreds who are forced to wait quietly for us to act.

"Thank you, Mr. Speaker and members of the House."

SECOND READING

HOUSE BILL NO. 923, by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson (D), Nickell, Kaiser, Hankins, Nelson (G), Greengo, Nisbet, Barr, Teutsch, Ellis, Sanders, Houchen, Hastings, Chandler, Bickham, McDonald, Mitchell, Tilly, Amen, Barnes, Barrett, Stratton, Hine and O'Brien (by Governor Spellman request):

Creating a state center for voluntary action.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 923 was substituted for House Bill No. 923, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 923 was read the second time.

Committee on Appropriations - General Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 29th Day, February 8, 1982)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Addison, Fiske and Nelson (D) spoke in favor of passage of the bill, and Representatives Pruitt and Becker spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 923, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Berleen, Cole, Grimm, Pruitt, Thompson.

Not voting: Representative Wilson.

Engrossed Substitute House Bill No. 923, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

SECOND READING

HOUSE BILL NO. 1063, by Committee on Labor and Economic Development and Representatives Sanders and Schmidt:

Modifying provisions relating to alcoholic beverages.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 1063 was substituted for House Bill No. 1063, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1063 was read the second time.

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

Beginning on page 2, line 1 strike all of section 1 and renumber the remaining sections consecutively.

Beginning on page 11, line 6 strike all of section 3 and insert the following:

NEW SECTION. Sec. 3. There is added to chapter 66.24 RCW a new section to read as follows:

(1) The board may, in its discretion, issue a class H license to a business which qualifies as a 'restaurant' as that term is defined in RCW 66.24.410 in all respects except that the business does not serve the general public but, through membership qualification, selectively restricts admission to the business. For purposes of RCW 66.24.400 and RCW 66.24.420, all licenses issued under this section shall be considered class H restaurant licenses and shall be subject to all requirements, fees, and qualifications in this title, or in rules adopted by the board, as are applicable to class H restaurant licenses generally except that no service to the general public may be required.

(2) No license shall be issued under this section to a business:

(a) Which shall not have been in continuous operation for at least one year immediately prior to the date of its application; or

(b) Which denies membership or admission to any person because of race, creed, color, national origin, sex, or the presence of any sensory, mental or physical handicap."

Mr. Sanders moved adoption of the following amendment by Committee on Labor and Economic Development:

On page 15, beginning on line 29 after "section" strike "do not prohibit a person over eighteen years" and insert "shall not prohibit a person under twenty-one"

Mr. Sanders spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Heck.

Mr. Heck: "Representative Sanders, this means that anybody, regardless of their age, may enter the tavern for the purpose of ordering food?"

Mr. Sanders: "A person ordering food must leave the tavern until the food is prepared and when the food is ready, can go back into the tavern and pick up the food and leave."

Mr. Heck: "No matter what the age?"

Mr. Sanders: "Correct."

Mr. Patrick spoke against the amendment.

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

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

On page 15, line 30 after "person" strike "over"

On page 15, line 30 after "age" insert "or more"

Mr. Greengo moved adoption of the following amendment by Representatives Greengo and Rinehart:

On page 16, after line 8 add a new section as follows:

NEW SECTION. Sec. 8. There is added to chapter 66.24 RCW a new section to read as follows:

There shall be a special wine retailer's license to be designated as class P license to solicit, take orders for, sell, and deliver wine in bottles and original packages. The licensee may purchase the wine at wholesale. The fee for the license is seventy-five dollars per year. The person actually delivering the wine shall be the licensee and shall be at least twenty-one years of age. Wine shall not be delivered during hours when establishments with class F licenses are not authorized to sell wine. A licensee shall not deliver more than one bottle of wine to the same address in any twenty-four period. No delivered wine shall be opened in any establishment which is the holder of a class C, class F, class H, class I and class J license."

Renumber the remaining sections consecutively.

Representatives Greengo, Lux, Rinehart and Brekke spoke in favor of the amendment, and Representative Sanders spoke against it.

Mr. Greengo spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Greengo, there isn't any stipulation in this amendment that says at what age one has to be to whom the wine is delivered. I have some concern for that."

Mr. Greengo: "I believe that's in the rules and regulations."

The amendment was adopted.

Ms. Brekke moved adoption of the following amendment:

On page 16, line 19 after "Sec. 9." strike "This" and insert "Section 5 of this"

Mr. Greengo moved adoption of the following amendment to the Brekke amendment:

Strike "Section 5" and insert "Sections 5 and 8"

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Sanders.

Mr. Sanders: "Have we already added section 5 into the bill?"

Mr. Greengo: "My understanding is that this just leaves the emergency clause in effect for this."

The Speaker: "The amendment that was offered by Representative Brekke seeks to change the emergency clause in section 9 to have only section 5 of this act come under the emergency clause. The amendment to the amendment by Representative Greengo would have section 5 and section 8 (which the Speaker would interpret to mean the new section 8 that was added by the amendment by Representatives Greengo and Rinehart)."

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Nelson (G).

Mr. Nelson (G): "Representative Greengo, so that I understand what it is you are doing here, and perhaps to question the ruling of the Chair, as I understand it, this amendment by you and Representative Rinehart was intended to address the new section 8 that was in the Substitute House Bill and not the amendment that added section 8. Would you clear that up?"

Mr. Greengo: "My idea is that what we are trying to do is retain the emergency clause on section 8, which is the amendment we just adopted. The rest of the bill would not have an emergency clause on it."

Representatives Sanders and Nisbet spoke against the amendment to the amendment, and it was not adopted.

The Speaker stated the question before the House to be the amendment by Ms. Brekke.

POINT OF INQUIRY

Mr. Nisbet yielded to question by Ms. Brekke.

Ms. Brekke: "Representative Nisbet, can you tell me what portion of this bill negatively impacts your area?"

Mr. Nisbet: "The reason for my wanting the emergency clause—to be specific, we have, in our area in Sequim and in other locations near Port Angeles, a restaurant that is located—one near a school and the other near a church—and under existing law, the church must give written approval. This particular church, a very solid group of people, don't feel they should have to write. This bill says as long as they don't object—they are given the opportunity to write if they desire to object to it, but they don't have to write if they agree to it. The emergency clause would allow this problem to be resolved, and therefore, this business could go ahead, open up and expand its operations. That's why I'd like to see the emergency clause on the entire bill. In the second place, I don't approve of emergency clauses, even in an omnibus bill, only applying to parts of a bill."

Ms. Brekke spoke in favor of the amendment, and Ms. Schmidt spoke against it.

POINT OF INQUIRY

Mr. Sanders yielded to question by Ms. Granlund.

Ms. Granlund: "Representative Sanders, in our bill report it mentions hospitals as being able to serve beer or wine without charge to patients or guests, including guests over eighteen years of age. Number one, I have searched the bill and I see no mention of this in the bill whatsoever. Could you tell me what line that's on?"

Mr. Sanders: "It's in section 7, page 16."

Mr. Sanders refused to yield to another question by Ms. Granlund.

Ms. Brekke spoke again in favor of the amendment.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1063 was deferred.

HOUSE BILL NO. 833, by Committee on Financial Institutions and Insurance and Representatives Dawson, Johnson, Rosbach, McGinnis and Lux:

Modifying provisions relation to savings and loan associations.

The bill was read the second time. On motion of Mr. Dawson, Substitute House Bill No. 833 was substituted for House Bill No. 833, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 833 was read the second time.

Mr. Eng moved adoption of the following amendments by Representatives Eng and Lundquist:

On page 27, line 18 after "powers" strike "or authority" and insert "~~((or authority))~~"

On page 27, line 27 after "powers" strike "or authority" and insert "~~((or authority))~~"

Representatives Eng and Lundquist spoke in favor of the amendments, and Representatives Rosbach, Monohon, Struthers and Winsley spoke against them.

POINT OF INQUIRY

Mr. Dawson yielded to question by Mr. Padden.

Mr. Padden: "Representative Dawson, I presume you are aware of court decisions which have held the due-on-sale clause is a restriction on the right of private property, and it's an undue alienation of that right. Does this bill, or does it not, legitimize the due-on-sale clause to savings and loan associations?"

Mr. Dawson: "Representative Padden, it's my opinion that whether or not we approve this amendment, it would not affect, in any appreciable way, the rights of the question of the due-on-sale clause."

Mr. Lux spoke against the amendments, and Representatives Isaacson and Eng spoke in favor of them.

The amendments were adopted.

On motion of Mr. Dawson, the following amendments by Representatives Dawson and Eng were adopted:

On page 38, line 2 after "~~writing~~:" strike "The methods by which withdrawals may be made shall be specified in the bylaws of the association."

On page 38, line 8, after "~~((members))~~" strike "savings"

On page 38, line 10 after "~~a~~:" strike "savings"

On page 38, beginning on line 13 strike "~~((The board shall, however, have the right in its discretion, where need is shown, to pay not exceeding one hundred dollars to any account holder in one month.))~~" and insert "The board shall, however, have the right in its discretion, where need is shown, to pay not exceeding one hundred dollars to any account holder in one month. (("

On page 38, line 21 after "~~withdrawals~~" strike "~~((and cancel all written withdrawal requests))~~" and insert "and cancel all written withdrawal requests"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dawson, Eng and Rosbach spoke in favor of passage of the bill.

Mr. Dawson, closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 833, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Flanagan, Lundquist, Mitchell, Teutsch.

Engrossed Substitute House Bill No. 833, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Mr. Burns, having given previous notice, moved that the House now reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 922 failed to pass the House.

Representatives Amen, Struthers and Greengo spoke in favor of the motion, and Representatives Owen and Patrick spoke against it.

The motion was carried.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 922.

Mr. Owen spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed Substitute House Bill No. 922, and the bill passed the House by the following vote: Yeas, 55; nays, 43; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Becker, Bickham, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, James, Johnson, King R., Kreidler, Lewis, Lux, Maxie, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Prince, Pruitt, Rosbach, Rust, Smith, Sommers, Sprague, Struthers, Thompson, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Bender, Berleen, Brown, Cantu, Clayton, Dawson, Ehlers, Erak, Flanagan, Gallagher, Garrett, Grimm, Heck, Hine, Isaacson, Kaiser, King J., Leonard, Lundquist, Martinis, McCormick, McDonald, Monohon, North, O'Brien, Owen, Patrick, Rinehart, Salatino, Sanders, Schmidt, Scott, Sherman, Stratton, Taylor, Teutsch, Tilly, Tupper, Walk, Wang, Wilson.

Engrossed Substitute House Bill No. 922, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 957, by Committee on Local Government and Representative Isaacson:

Modifying provisions on competitive bidding for counties.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 957 was substituted for House Bill No. 957, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 957 was read the second time.

Mr. Barrett moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 36.32 RCW a new section to read as follows:

Every first class, class A, and class AA county shall establish a county purchasing department. Any other county may establish a county purchasing department. If a county has a purchasing department, all purchases and leases by a county shall, except as limited herein, be subject to the county purchasing ordinance and the following:

(1) Each purchase or lease of supplies, materials and equipment in excess of ten thousand dollars shall be on a competitive bid basis as provided in RCW 36.32.250;

(2) Each purchase or lease of supplies, materials and equipment in excess of five thousand dollars and up to and including ten thousand dollars shall be based upon the procurement of telephone or written quotations from enough vendors to assure establishment of a competitive price and for awarding such purchases or leases to the lowest responsible bidder. Notice of intention to proceed with such procurement shall be posted on a bulletin board in the office of the county legislative authority not less than three days prior to making such solicitations;

(3) Immediately after the award is made for purchases or leases made pursuant to subsections (1) and (2) of this section, bid quotations or offers obtained shall be recorded and open to public inspection and shall be available by telephone inquiry;

(4) This section shall not apply to or affect county hospitals, the printing of election ballots, voting machine labels and all other election material containing the names of candidates and ballot titles, or RCW 36.77.065, 36.77.070 and 36.82.130.

NEW SECTION, Sec. 2. There is added to chapter 36.32 RCW a new section to read as follows:

All county public works, except as provided in RCW 36.77.065 and 36.77.070 and less than eighteen thousand dollars, may be done by contract or day labor. If a public work is done by contract, the awarding of the contract shall, except as limited herein, be subject to the following:

(1) Public works in excess of eighteen thousand dollars shall be on a competitive bid basis as provided in RCW 36.32.250;

(2) Public works in excess of five thousand dollars and up to and including eighteen thousand dollars shall be based upon the procurement of telephone or written quotations from enough contractors to assure establishment of a competitive price and for awarding such public works to the lowest responsible bidder. Notice of intention to proceed with such contracting shall be posted in a bulletin board in the office of the county legislative authority not less than three days prior to making such solicitations;

(3) Immediately after the award is made for purchases or leases made pursuant to subsections (1) and (2) of this section, bid quotations or offers obtained shall be recorded and open to public inspection and shall be available by telephone inquiry;

(4) This section shall not apply to or affect county hospitals or RCW 36.77.065 and 36.77.070.

Sec. 3. Section 36.32.250, chapter 4, Laws of 1963 as last amended by section 1, chapter 267, Laws of 1977 ex. sess. and RCW 36.32.250 are each amended to read as follows:

~~((No contract, lease or purchase shall be entered into by the county legislative authority or by any elected or appointed officer of such county until after bids have been submitted to the county legislative authority upon specifications therefor:))~~ Whenever formal competitive bidding requirements are mandated to award a contract, other than for county hospitals and in RCW 36.77.065 and 36.77.070, bids shall be sought on the basis of specifications established by the county. Such specifications shall be in writing and shall be filed with the clerk of the county legislative authority for public inspection, and an advertisement thereof stating the date after which bids will not be received, the character of the work to be done, or material, equipment, or service to be purchased, and that specifications therefor may be seen at the office of the clerk of the county legislative authority, shall be published in the county official newspaper: PROVIDED, That advertisements for public works contracts for construction, alteration, repair, or improvement of public facilities shall be additionally published in a legal newspaper of general circulation in or as near as possible to that part of the county in which such work is to be done: AND PROVIDED FURTHER, That if the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such public works are to be done publication of an advertisement of the applicable specifications in the county official newspaper only shall be sufficient. Such advertisements shall be published at least once in each week for two consecutive weeks prior to the last date upon which bids will be received and as many additional publications as shall be determined by the county legislative authority.

The bids shall be in writing, shall be filed with the clerk, shall be opened and read in public at a meeting of the county legislative authority on the date named therein in said advertisements, and after being opened, shall be filed for public inspection. No bid shall be considered for public work unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five percent of the amount of the bid proposed. The contract for the public work, lease or purchase shall be awarded to the lowest responsible bidder; taking into consideration the quality of the articles or equipment to be purchased or leased. Any or all bids may be rejected for good cause. The county legislative authority shall require from the successful bidder for such public work a contractor's bond in the amount and with the conditions imposed by law. Should the bidder to whom the contract is awarded fail to enter into the contract and furnish the contractor's bond as required within ten days after notice of the award, exclusive of the day of notice, the amount of the bid deposit shall be forfeited to the county and the contract awarded to the next lowest and best bidder. The bid deposit of all unsuccessful bidders shall be returned after the contract is awarded and the required contractor's bond given by the successful bidder is accepted by the county legislative authority. ~~((In the letting of any contract, lease or purchase involving less than three thousand five hundred dollars, advertisement and competitive bidding may be dispensed with on order of the county legislative authority. Notice of intention to let contracts or to enter into lease agreements involving amounts exceeding one thousand dollars but less than three thousand five hundred dollars, shall be posted by the county legislative authority on a bulletin board in its office not less than three days prior to making such lease or contract. For advertisement and competitive bidding to be~~

dispensed with as to purchases between one thousand and three thousand five hundred dollars, the county legislative authority must authorize by resolution a county procedure for securing telephone and/or written quotations from enough vendors to assure establishment of a competitive price and for awarding such contracts for purchase of materials, equipment or services to the lowest responsible bidder. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry.

Wherever possible, supplies shall be purchased in quantities for a period of at least three months, and not to exceed one year. Supplies generally used throughout the various departments shall be standardized insofar as possible, and may be purchased and stored for general use by all of the various departments which shall be charged for the supplies when withdrawn from the purchasing department.)

NEW SECTION. Sec. 4. Section 36.32.240, chapter 4, Laws of 1963, section 15, chapter 144, Laws of 1967 ex. sess., section 1, chapter 52, Laws of 1974 ex. sess. and RCW 36.32.240 are each repealed."

Representatives Barrett and Hine spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

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

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Substitute House Bill No. 957, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1014, by Representatives Eberle, King (R), Hastings, Owen, Nelson (G), Stratton and Sanders:

Delineating restrictions on taxing powers of counties, cities, and towns.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1014 was substituted for House Bill No. 1014, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1014 was read the second time.

Ms. Hine moved adoption of the following amendment:

On page 1, line 16 after "nature." strike all material down to and including "prohibited." on page 2, line 3 and insert "Other than by agreement with an affected owner or developer, a county, city, town, or service district shall not impose taxes either direct or indirect, whether under the name of a tax excise fee or other description on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto or on the development of subdivisions of land. However, this section does not preclude dedications of land or easements for open space, drainage ways, streets, alleys, other public ways, parks, playgrounds, and sites for schools and school grounds within and immediately adjacent to the proposed development or plat to the extent necessary to protect public health, safety, and general welfare and to reasonably insure that the public use and interest will be served by the platting of such subdivisions."

Representatives Hine and Van Dyken spoke in favor of the amendment, and Representatives Eberle and King (R) spoke against it.

Ms. Hine spoke again in favor of the amendment.

The amendment was not adopted.

Ms. Hine moved adoption of the following amendment:

On page 2, line 16 after "prohibits" strike all material down to and including "charged" on line 20 and insert "cities, towns, or counties from imposing utility or drainage system charges commonly referred to as system development charges"

Ms. Hine spoke in favor of the amendment, and Mr. Eberle spoke against it.

The amendment was not adopted.

Substitute House Bill No. 1014 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 1063:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment to page 16, line 19 by Representative Brekke.

Ms. Brekke spoke in favor of the amendment, and Mr. Barrett spoke against it.

The amendment was not adopted.

Ms. Granlund moved adoption of the following amendment:

On page 16, line 8 after "be" strike all material down to and including "years" on line 8 and insert "at least twenty-one years of age"

Representative Granlund spoke in favor of the amendment, and Mr. Sanders spoke against it.

Ms. Granlund spoke again in favor of the amendment.

Representatives Bond, Kaiser, Taylor and Barnes spoke in favor of the amendment, and Representative Barrett opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Granlund to page 16, line 8 of Substitute House Bill No. 1063, and the amendment was adopted by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Kaiser, Leonard, Lewis, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rust, Salatino, Schmidt, Sherman, Smith, Sommers, Stratton, Taylor, Thompson, Tilly, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Barrett, Brekke, Eberle, Fancher, Fiske, Garrett, Hankins, Hastings, Johnson, King J., King R., Kreidler, Lundquist, Maxie, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Rosbach, Sanders, Sprague, Struthers, Teutsch, Tupper, Vander Stoep, and Mr. Speaker.

Not voting: Representatives Ellis, Erak, Isaacson, Scott.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders and King (J):

On page 16, line 3 after "RCW 70.39.020," insert "or a nursing home as defined in RCW 18.51.010,"

On page 16, line 8 after "years" insert ", and that the beer or wine shall be purchased under Title 66 RCW"

Mr. Sanders spoke in favor of the amendments.

POINT OF INQUIRY

Ms. Brekke asked Mr. Sanders to yield to question, and Mr. Sanders refused to yield.

Ms. Brekke spoke against the amendments.

The amendments were adopted.

On motion of Mr. Greengo, the following amendments to the title were adopted:

On page 1, line 6 of the title after the semicolon strike everything through "66.24.450" on line 10 and insert "adding a new section to chapter 66.24 RCW"

On page 1, beginning on line 1, after ";" strike everything through "66.04.010" on line 4.

On page 1, line 16 of the title after "RCW 66.28.010;" insert "amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.050;"

Substitute House Bill No. 1063 was ordered engrossed and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 10, 1982

HOUSE BILL NO. 824, Prime Sponsor: Representative McGinnis, modifying provisions relating to assignment of dental insurance benefits. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 902, Prime Sponsor: Committee on Financial Institutions and Insurance, revising laws relating to insurance. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 914, Prime Sponsor: Representative Lundquist, clarifying procedures for reviewing shoreline permits. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Barr, Erak, Garson, Lundquist, McDonald, Mitchell, Nickell, Stratton, Williams.

MINORITY recommendation: Do not pass: Signed by Representatives Brekke, Martinis, Thompson, Valle.

Not attending: Representatives North, Ranking Minority Member; Addison, Dawson, Owen, Rinehart.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 941, Prime Sponsor: Representative McGinnis, establishing an office of information systems. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, McGinnis, Monohon, Rosbach.

Voting nay: Representatives King (J), Maxie.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1025, Prime Sponsor: Committee on Ethics, Law and Justice, modifying provisions on birth certificates to provide for persons born or adopted outside the United States. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly.

Not attending: Representatives Salatino, Ranking Minority Member; Becker, Tilly, Tupper, Wang, Winsley.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1053, Prime Sponsor: Committee on Energy and Utilities, modifying requirements on the procurement of materials, equipment, supplies and work by joint operating agencies contracting, improving or operating electrical facilities. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Bond, Dickie, Eberle, Hine, Isaacson, McCormick, Schmidt, Scott, Sherman, Sprague, Tupper, Vander Stoep, Wang.

Passed to Committee on Rules for second reading.

February 10, 1982

HOUSE BILL NO. 1086, Prime Sponsor: Representative Berleen, making program for testing motor vehicles for emissions voluntary. Reported by Committee on Transportation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Cantu, Chamberlain, Eberle, Garson, Hankins, Lundquist, McCormick, Prince, Smith, Walk.

Voting nay: Representatives Martinis, Ranking Minority Member; Bender, Burns, Gallagher, Patrick, Schmidt, Sherman.

Not signing report: Representatives Garrett, Owen, Sprague.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1091, Prime Sponsor: Representative Ellis, pertaining to public utility tariffs. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Voting nay: Representatives Schmidt, Winsley.

Referred to Committee on Appropriations - General Government

February 10, 1982

HOUSE BILL NO. 1093, Prime sponsor: Committee on Natural Resources and Environmental Affairs, modifying the rate of increase in leases of state aquatic lands. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Barr, Erak, Garson, Lundquist, Martinis, Mitchell, Nickell, Stratton.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke, McDonald, Thompson, Valle, Williams.

Not signing report: Representative Wilson.

Not attending: Representatives North, Ranking Minority Member; Dawson, Owen, Rinehart.

Referred to Committee on Appropriations - General Government

February 10, 1982

HOUSE BILL NO. 1098, Prime Sponsor: Representative Van Dyken, providing for review of decisions of the department of ecology concerning adjustments to local government master programs. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Barr, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Thompson, Valle, Williams.

Voting nay: Representatives Brekke, Stratton.

Not signing report: Representative Wilson.

Not attending: Representatives North, Ranking Minority Member; Dawson, Owen, Rinehart.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1124, Prime Sponsor: Committee on Ethics, Law and Justice, restricting soliciting the attendance of state employees at fundraisers during legislative sessions. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 7 strike all material on line 7 and insert "No legislative employee, temporary or permanent, part-time or full-time, partisan or nonpartisan, shall"

On page 1, line 10 strike "state" and insert "legislative"

On page 1, line 11 strike "state" and insert "legislative"

On page 1, line 13 strike "state" and insert "legislative"

Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper.

Voting nay: Representatives Padden, Vice Chairman; Tilly.

Not attending: Representatives Becker, Wang, Winsley.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1145, Prime Sponsor: Committee on Local Government, modifying provisions relating to special purpose districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Voting nay: Representative Berleen.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1172, Prime Sponsor: Committee on Local Government, adding projects concerning bodies of water to those approved as possible LID's. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Brown, Burns, Cole, Garrett, James, North, Tilly, Van Dyken.

Voting nay: Representatives Barr, Barrett, Berleen, Chamberlain, Leonard, Stratton.

Not attending: Representative Kreidler.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1173, Prime Sponsor: Committee on Local Government, revising laws relating to the board of trustees of a hospital operated under chapter 36.62 RCW. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Burns, Chamberlain, Cole, Garrett, James, Van Dyken.

Voting nay: Representatives Berleen, Brown, Leonard, North, Stratton.

Not attending: Representatives Kreidler, Tilly.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, February 12, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-THIRD DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Friday, February 12, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Stephanie Walters and Susan Willins. Prayer was offered by Representative William H. Ellis.

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

MESSAGE FROM THE SENATE

February 11, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 787,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

February 11, 1982

HOUSE BILL NO. 894, Prime Sponsor: Representative Rosbach, appropriating funds for razor clam programs. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6 strike "one hundred thirty-three" and insert "one hundred eighteen"

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Ellis, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representatives Barnes, Kaiser.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 926, Prime Sponsor: Representative Isaacson, modifying procedures of the human rights commission. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nickell, O'Brien, Rinehart, Rust.

Changing vote from nay to yea: Representative Greengo.

Voting nay: Representative Nelson (D).

Not attending: Representatives Erak, Sprague.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1007, Prime Sponsor: Committee on Local Government, revising procedures for notice of hearings by planning agencies. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Brown, Kreidler, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1057, Prime Sponsor: Representative Clayton, requiring mandatory auto liability insurance. Reported by Committee on Rules.

Rereferred from Committee on Rules to Committee on Financial Institutions and Insurance

February 11, 1982

HOUSE BILL NO. 1099, Prime Sponsor: Committee on Appropriations - General Government, revising forest fire protections assessments. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Ellis, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representatives Barnes, Kaiser.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1108, Prime Sponsor: Representative Lundquist, authorizing a percentage of proceeds from certain leases of public harbor areas to be paid to towns for water access improvements. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Leonard, North, Tilly, Van Dyken.

Voting nay: Representatives Brown, Kreidler, Stratton.

Not attending: Representative Tilly.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1134, Prime Sponsor: Committee on Local Government, modifying provisions relating to the division of land. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Chamberlain, James, Leonard, Stratton, Van Dyken.

Voting nay: Representatives Burns, Cole, Garrett, North.

Not signing report: Representative Kreidler.

Not attending: Representative Tilly.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1169, Prime Sponsor: Representative Addison, enacting the paperwork reduction act of 1982. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 17 add a new section as follows:

"NEW SECTION. Sec. 8. The forms and paperwork reduction act of 1982 shall cease to exist on June 30, 1985, unless extended by law for an additional fixed period of time."

On page 3, line 18 after "through" strike "7" and insert "8"

Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nickell, O'Brien, Rust.

Voting nay: Representatives Nelson (D), Rinehart.

Not signing report: Representative Garson, Vice Chairman.

Not attending: Representatives Erak, Sprague.

Passed to Committee on Rules for second reading.

February 11, 1982

SUBSTITUTE SENATE BILL NO. 3946, Prime Sponsor: Committee on Transportation, modifying the aircraft fuel excise tax. Reported by Committee on Rules.

Reported by Committee on Rules.

Referred from Committee on Revenue to Committee on Transportation

SECOND READING

HOUSE JOINT MEMORIAL NO. 20, by Representatives Lundquist, Nickell, Schmidt, Wilson, Berleen, Struthers, Barr, Fiske, Nelson (G), Greengo, James, Rosbach, Chamberlain, Smith, Dickie, Garson, Clayton, Williams, Patrick, Eberle, Addison, Mitchell, Tilly, Johnson, Nisbet, Bond, Flanagan, Amen, Winsley, Isaacson, Sprague, Barnes, Houchen, Vander Stoep, Taylor, Dawson, McDonald, Hastings, Tupper, Chandler, Prince, Padden, Ellis, Teutsch and Hankins:

Requesting the federal government settle and acquire tribal claims and rights to the fish and natural resources located in the state.

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

HOUSE BILL NO. 987, by Committee on Appropriations - General Government and Representatives Williams, Wang, McDonald, Ellis and James:

Placing limitations on certain payments to school employees.

The bill was read the second time. On motion of Mr. Williams, Second Substitute House Bill No. 987 was substituted for House Bill No. 987, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 987 was read the second time.

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

On page 2, beginning on line 20 after "leave" strike "up to a thirty day maximum"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 987, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Teutsch.

Engrossed Second Substitute House Bill No. 987, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 905, by Representatives Wang, Ellis, Armstrong, Owen, Patrick, Tupper, Becker, King (J), Winsley, Brown, Berleen, Granlund, Mitchell, Vander Stoep, Salatino, Lewis, Hankins, Johnson, Sherman and Teutsch:

Providing for joint child custody.

The bill was read the second time. On motion of Mr. Nelson (G), Substitute House Bill No. 905 was substituted for House Bill No. 905, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 905 was read the second time.

On motion of Ms. Schmidt, the following amendment by Representatives Schmidt, Wang, Padden, Patrick, Ellis and Bickham was adopted:

On page 4, line 12 after "child." insert "If the court finds that the parties are in a situation of irreconcilable adversity in which joint custody would not be in the best interests of the child, the court shall not award joint custody."

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 905, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Struthers.

Engrossed Substitute House Bill No. 905, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 806, by Committee on Ways and Means and Representative Chandler:

Modifying the state debt limit.

The bill was read the second time. On motion of Mr. Chandler, Substitute House Bill No. 806 was substituted for House Bill No. 806, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 806 was read the second time.

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

On page 2, after line 11 insert:

"(d) 'Specific revenues' means revenues pledged for repayment of debt for a single work or object distinctly specified by a statute enacted after January 1, 1981. 'Specific revenues' does not include revenues received under chapters 82.04, 82.08 or 82.12 RCW."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 931, by Select Committee on Deregulation and Productivity and Representative Williams:

Modifying the handling of reserved funds for public contracts.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 931 was substituted for House Bill No. 931, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 931 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 931, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden,

Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Substitute House Bill No. 931, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

HOUSE BILL NO. 885, by Representatives Patrick, O'Brien, Wilson, Burns, Prince, Grimm, Winsley, Bender, Tupper, Lux, Van Dyken, Valle, Mitchell, Nelson (D), Leonard, Kreidler, Houchen, Eng, Ellis and Wang: *

Modifying cigarette taxes.

The bill was read the second time.

On motion of Mr. Patrick, the following amendment by Representatives Patrick, Sommers, Greengo and Rinehart was adopted:

On page 1, beginning on line 4 strike all material down to and including "research." on line 25 and insert the following:

"NEW SECTION. Section 1. From and after the effective date of this act, until the thirtieth day of June 1988, there is levied and there shall be collected by the department of revenue from the persons mentioned in and in the manner provided in this chapter, as now or hereafter amended, an additional excise tax upon the sale, use, consumption, handling, possession, or distribution of cigarettes in an amount equal to the rate of seventy-five mills per cigarette, but the provisions of RCW 82.24.070 allowing dealers compensation for affixing stamps shall not apply to this additional tax.

All moneys derived from this additional tax shall be exclusively dedicated for allocation by the department of social and health services to public and private nonprofit organizations engaged in cancer research.

NEW SECTION. Sec. 2. The legislative budget committee shall evaluate the program funded by this act and report its findings to the legislature by January 15, 1988."

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Patrick and O'Brien spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Patrick, the fiscal note on this says it will raise about \$2.5 million dollars in six years and \$700,000 the first year. It goes to DSHS, but how are they going to allocate that? Are they going to pick and choose for themselves who is going to get the money for research?"

Mr. Patrick: "That's correct, Representative Warnke. The intent of the bill, of course, is to direct most of the funds to the Fred Hutchinson Cancer Research Center, and my understanding is that it is the understanding with DSHS."

Ms. Berleen spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 885, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Clayton, Gallagher, Martinis, McCormick, Nelson D., Owen, Salatino.

Not voting: Representative James.

Engrossed House Bill No. 885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1129, by Committee on Education and Representatives Amen, Armstrong, Taylor and Johnson (by State Board of Education request):

Redefining relationship of the superintendent of public instruction to the state board of education.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1129, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 1129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1048, by Select Committee on Child Abuse and Representatives Berleen, Galloway, Brown, Salatino and Lewis:

Modifying provisions relating to child abuse and family offenses.

The bill was read the second time. On motion of Ms. Berleen, Substitute House Bill No. 1048 was substituted for House Bill No. 1048, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1048 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Berleen, Galloway, Salatino and Brown spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1048, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 1048, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 893, by Representatives Sommers and Smith:

Eliminating portion of liquor tax imposed for wine research.

The bill was read the second time. On motion of Mr. Smith, Substitute House Bill No. 893 was substituted for House Bill No. 893, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 893 was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 893, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 893, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 870, by Representatives Padden, Dawson, Stratton, Taylor, Lundquist, Johnson, Tilly and Mitchell:

Providing for confinement of juveniles in group homes.

The bill was read the second time. On motion of Mr. Padden, Substitute House Bill No. 870 was substituted for House Bill No. 870, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 870 was read the second time.

Mr. Padden moved adoption of the following amendment:

On page 1, line 19 after "possible," strike all matter down to and including "exception," on line 21

Mr. Padden spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Padden yielded to question by Ms. Becker.

Ms. Becker: "Representative Padden, I am not certain of your explanation. What do you believe the effect of this amendment would be? What I have observed from reading it is that it strikes the language about not-for-profit group home placement being the rule and the exception, and I can't figure out what that language added anyway other than some talk about not-for-profit group homes."

Mr. Padden: "There was some concern in the committee hearing, Representative Becker, that the language might somehow tie the hands of the DJR and require them to place juveniles in group homes against their discretion. I don't believe it does, but in order to clarify the situation, I think it would be best if the language is eliminated."

Ms. Becker: "Representative Padden, is it your understanding then, that the remaining language after the adoption of this amendment would make it clear that it would be the department, rather than the committing court, which would make the decision about placing the offender in a group home?"

Mr. Padden: "That is correct, Representative Becker."

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Owen.

Mr. Owen: "Representative Padden, is it your opinion that this would allow the department's discretion to place the offender?"

Mr. Padden: "Representative Owen, the language we are talking about on the amendment itself really does not have anything to do with the department. That language is in the substitute bill, and perhaps might be best questioned on final passage. The answer is that the department will be the one, and after the juveniles are turned over to the department then they will have the discretion."

The amendment was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 960, by Committee on State Government and Representative Addison (by Office of Archaeology and Historic Preservation request):

Authorizing fees for consulting services rendered by the office of archaeology and historic preservation.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 960, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 960, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1011, by Committee on Local Government and Representatives Isaacson and Martinis:

Defining and limiting the appearance of fairness doctrine.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 1011 was substituted for House Bill No. 1011, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1011 was read the second time.

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

On page 3, after section 12 add a new section as follows:

"NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "officials;" strike "and"

On page 1, line 2 of the title after "RCW" insert "; and declaring an emergency"

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Isaacson and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Teutsch.

Engrossed Substitute House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker resumed the Chair.

HOUSE BILL NO. 947, by Representatives Fancher and Smith:

Changing maximum cattle assessments.

The bill was read the second time.

Committee on Agriculture recommendation: Do pass as amended. (For amendments see Journal, 25th Day, February 4, 1982.)

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

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Fancher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 947, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Tilly.

Engrossed House Bill No. 947, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 623, by Committee on State Government and Representatives Addison, Walk, Owen and North:

Modifying eligibility requirements for veterans' free license plates.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 623, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 623, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 834, by Representatives Garson, Johnson, Addison, Ellis, Williams, Tilly, Kreidler, Nickell and Barr:

Modifying penalties for violations of game laws.

The bill was read the second time. On motion of Mr. Garson, Substitute House Bill No. 834 was substituted for House Bill No. 834, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 834 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Garson, Martinis and Nickell spoke in favor of passage of the bill, and Ms. Stratton spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 834, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Stratton.

Substitute House Bill No. 834, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 826, by Representatives Ellis, Bickham and Armstrong:

Establishing the Washington law revision commission.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ellis, Padden and Armstrong spoke in favor of passage of the bill, and Representatives Ehlers and Becker spoke against it.

Mr. Ellis spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 826, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Barnes, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Garrett, Garson, Greengo, Hankins, Hastings, Hinc, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Salatino, Sanders, Schmidt, Scott, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Barrett, Becker, Berleen, Chamberlain, Clayton, Cole, Ehlers, Flanagan, Galloway, Granlund, Grimm, Heck, James, Leonard, Lewis, Lux, McDonald, McGinnis, Nelson D., Pruitt, Rosbach, Rust, Sherman, Smith, Walk.

Not voting: Representatives Dickie, Isaacson, Teutsch.

House Bill No. 826, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Houchen, who was excused.

HOUSE BILL NO. 934, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

Revising laws relating to credit unions.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 934, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Brown, Houchen, King R., Lux, Nelson D., Owen, Salatino.

House Bill No. 934, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

HOUSE BILL NO. 935, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

Revising fees for bank examinations.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 935, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hinc, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Bickham, Brown, Grimm, Houchen, McGinnis, Owen, Salatino.

House Bill No. 935, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 936, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

Providing for reorganization to form a bank holding company.

The bill was read the second time. On motion of Mr. Dawson, Substitute House Bill No. 936 was substituted for House Bill No. 936, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 936 was read the second time.

On motion of Mr. Lux, the following amendment by Representatives Lux, Dawson and Eng was adopted:

On page 2, beginning on line 10 after "directors." strike all material down to and including "corporation." on line 15 and insert "Notice of the meeting of stockholders at which the plan shall be considered shall be given by publication in a newspaper of general circulation in the place where the principal office of each banking corporation is located at least once each week for four successive weeks, and by certified mail at least twenty days before the date of the meeting, to each stockholder of record of the banking corporation. The notice shall state that dissenting stockholders will be entitled to payment of the value of only those shares which are voted against approval of the plan."

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dawson and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 936, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Sanders, Scott, Sherman, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Fiske, McDonald, Nickell, Prince, Rosbach, Schmidt, Sprague, Tupper, Vander Stoep, Wilson.

Not voting: Representatives Barrett, Houchen, Salatino, Smith.

Engrossed Substitute House Bill No. 936, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Mr. Padden, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 936 passed the House.

HOUSE BILL NO. 810, by Committee on Appropriations - General Government and Representative Williams:

Expanding the authority of the department of general administration as it pertains to state facilities.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 810 was substituted for House Bill No. 810, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 810 was read the second time.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings and Williams:

On page 2, line 31 after "state" insert "PROVIDED FURTHER, That when altering, repairing, or improving leased or rented premises, all work done shall conform to the requirements of any applicable local building code, but in no instance shall the director authorize improvements that would exceed the requirements of such local building code"

*Mr. Hastings spoke in favor of the amendment.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Hastings, this would seem to be a rather tight requirement. Couldn't there be situations in which, for whatever reason, some part of a building code might need to be exceeded by the state?"

Mr. Hastings: "Representative Nelson, what this says is that each local jurisdiction has a building code that they are required to have by law, and this simply says that when the state remodels or when they go in and get a new lease, they will not exceed what is required already. There have been cases in the past, particularly in my area, where they have gone in and far exceeded what the building code is, and the ultimate consequence of that is that it is very, very costly to the taxpayers because they are going far beyond what is required."

Mr. Nelson (D): "But you would acknowledge that it is very tight language and there is no waiver provision in it in case they have a good reason for going beyond the building code?"

Mr. Hastings: "I guess my reaction to that is that if there is a reason to change the building code, I would assume that a local jurisdiction, under the auspices of local control, would be the one that would recognize that. I don't think the state necessarily is the one that ought to go in and say they think the code ought to be different."

POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Ehlers.

Mr. Ehlers: "What's interesting about this is that we have a state building code, and it would appear that any local building code must meet or exceed the state building code. If that is true, then it would appear in some localities that the local building code, such as in Seattle and some of the things they have in Seattle, that the state might have to conform to the requirements of the local building code which may exceed the state building code. In that case, we are talking about more money not less."

Mr. Hastings: "I think the question here is safety and that's why you have building codes. If the state building code overrides the local, it certainly has the right protections, but there have been cases, in my area particularly, where a governmental office has gone in and far exceeded what is local. In addition to that, they have exceeded the state building code; therefore, you have a costly situation. I think this corrects that and I think the keypoint here is that you don't go below the state building code."

Mr. Ehlers: "I understand what you are trying to do, but what I am saying is that it appears to me, Representative Hastings, that it potentially could be doing just the opposite. If the local building codes must conform to the state building code standards, then to say in this amendment that they must reach the requirements of any applicable local building codes—in some cases local building code standards—are higher than the state standards, this will cost more money, not less money by your amendment."

Mr. Hastings: "Representative Ehlers, I can't agree with what you are saying. I think you are agreeing with me one hundred percent. The issue here probably goes farther beyond the cost. It has to do with local control. If that local jurisdiction wants to have higher building codes than the state, then they certainly have that right. All I am saying by this amendment, is that the state shall not exceed what that jurisdiction says."

POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Heck.

Mr. Heck: "Representative Hastings, I'm no expert at building codes, but the example that comes to my mind is that there is a minimum requirement that there are outlets every 'x' number of feet. Just as an example, it seems to me that inherent in the unique situation of a room or desk placement or whatever improvement, they may need a particular outlet more frequently, or more of them, than is the requirement, and yet it reads here that you couldn't even put the outlets in because it would exceed a local building code."

Mr. Hastings: "First of all, Representative Heck, the building codes deal with minimum standards. Presumably, for that one example, you could probably run an extension cord. Those things are sold at office supply houses throughout the state. I don't see any problem with that. I think the issue here is, in the long run it would be, that the state should not exceed the local building codes."

Representatives Heck and Prince spoke against the amendment.

MOTION

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 810 was deferred and the bill was ordered placed on the second reading calendar following House Bill No. 457.

HOUSE BILL NO. 854, by Committee on Transportation and Representative Wilson (by Department of Transportation request):

Permitting motor fuel distributors to omit gas tax from the selling price.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 854, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Houchen.

House Bill No. 854, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Houchen appeared at the bar of the House.

ENGROSSED HOUSE BILL NO. 457, by Committee on Transportation and Representative Garson:

Revising common carrier requirements.

The bill was read the second time.

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

In line 1 of the title after the semicolon insert "dealing with the handling of hazardous commodities;"

The bill was ordered reengrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Garson spoke in favor of passage of the bill, and Ms. Sherman spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 457, and the bill passed the House by the following vote: Yeas, 83; nays, 15; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Cole, Ehlers, Granlund, Grimm, Heck, Kaiser, King J., King R., Nelson D., Rust, Sherman, Walk, Wang.

Reengrossed House Bill No. 457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 810:

The House resumed consideration of the bill on second reading.

With the consent of the House, Mr. Hastings withdrew the amendment to page 2, line 31.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 810, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Brown, Houchen, Salatino, and Mr. Speaker.

Substitute House Bill No. 810, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 840, by Representatives Struthers, Chamberlain, Hastings and Hankins:

Increasing the sales tax exemption permit fee.

The bill was read the second time. On motion of Mr. Struthers, Substitute House Bill No. 840 was substituted for House Bill No. 840, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 840 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Struthers, Ehlers and Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 840, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Mr. Speaker.

Substitute House Bill No. 840, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Mr. Patrick, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which ENGROSSED HOUSE BILL NO. 885 passed the House.

HOUSE BILL NO. 1125, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis, Salatino and Wang:

Limiting fund raising activities during legislative sessions.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 1125 was substituted for House Bill No. 1125, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1125 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1125, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Barrett, and Mr. Speaker.

Substitute House Bill No. 1125, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I was out of the room for an emergency phone call and missed casting a "Yes" vote on Substitute House Bill No. 1125.

RICHARD H. BARRETT, 5th District.

POINT OF PERSONAL PRIVILEGE

Mr. Williams: "Eight score and thirteen years ago, a great American president was born. As we pause to reflect on Abraham Lincoln's birthday, we remember a man who was born in a Kentucky log cabin. Success came late and death came early to Lincoln.

"Almost from birth, Lincoln appeared likely to wind up as an 'also-ran' in life's race. He was poor and had little formal schooling. He failed in business at the age of 22. He was defeated for the state legislature at 23; failed again in business at age 25. He had a nervous breakdown at age 32. He failed to receive his party's nomination for Congress at age 34; he ran for the Senate and lost at age 46. He was defeated for the Vice Presidency at age 47; defeated again for the Senate at age 49. A hopeless loser, some people said. Yet, Abraham Lincoln was elected and became one of our greatest presidents at age 51. He knew how to accept defeat—temporarily.

"Lincoln is remembered not only for his record as president, but also for two immortal speeches he gave—the Gettysburg Address and his second inaugural address.

"At Gettysburg, Abraham Lincoln expressed a new moral concept between the victors and the vanquished. He expressed an ideal that was to make it possible to resolve the hate and heal the wounds of a nation torn by one of the most bloody wars of all time. Today we could certainly use his wisdom in these chambers.

"As Lincoln stated in his speech, 'The world will little know, nor long remember, what we say here....' If we change a few words, 'but the people of this state will be drastically affected by our actions.' We need to dedicate ourselves to the great task remaining before us, that from the honored memory of our great deceased President, we take increased devotion to that cause for which he gave his full measure of devotion, that the ideals expressed at Gettysburg in 1863 are as meaningful and vital today as they were then. I am firmly convinced that they will continue to have vitality as long as men and women remain determined 'That government of the people, by the people and for the people shall not perish from the earth.'

"If we briefly look at his second inaugural speech, if a few words are changed, and you change it from 'war' to 'budget crisis,' it sounds like he's speaking to the legislature in Washington state today. Lincoln stated that neither party expected the budget crisis of this magnitude or duration which it has already attained. Each party looked for an easier triumph and a result less fundamental and less dramatic for the people.

"Both parties read the same Bible; both parties pray to the same God, and each invokes the Almighty's aid against the other side. It may seem strange that men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not that we not be judged. The prayer of both parties could not be answered.

"If Lincoln were here today, I am sure he would ask us to rise above our partisan differences, to work together for the common good; to resist partisan attack and work for the betterment of the legislative process and the people of the great state of Washington. Let us remember Lincoln for the next month and dedicate ourselves to his memory by resisting partisan attacks so that we can truly give our full measure of devotion to the unfinished tasks before us. We will have plenty of time for partisan attacks after this session.

"Finally, with a few words changed: 'With malice toward none, with charity for all, with firmness in the right as God gives us to the see the right, let us finish the work we are in, to bind up the state's wounds, to care for him who shall have borne the battle, and to do all we may to achieve and cherish a just and lasting economic recovery for the citizens of the great state of Washington.'

HOUSE BILL NO. 898, by Representatives Brown, Ellis, Salatino, Patrick, Schmidt, Wang, Tilly, Pruitt, Winsley, Heck, Stratton, Sommers, Grimm, Kaiser, Walk, Burns, Leonard, Addison, Houchen, Johnson, Armstrong, Ehlers, Sherman, Galloway, McCormick, Garson, Vander Stoep, Granlund, Hastings, Sanders, Owen, Greengo and Barr:

Prohibiting carrying firearms or dangerous weapons onto school premises.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 898 was substituted for House Bill No. 898, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 898 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 898, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

Substitute House Bill No. 898, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 961, by Committee on Revenue and Representative Greengo:

Modifying provisions on property tax exemptions.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 961 was substituted for House Bill No. 961, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 961 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 961, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

Substitute House Bill No. 961, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 964, by Committee on Revenue and Representative Greengo:

Modifying provisions on real estate excise taxation.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 964, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

House Bill No. 964, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 907, by Committee on Ethics, Law and Justice and Representative Ellis:

Modifying the laws governing the office of administrative hearings.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 907, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

House Bill No. 907, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1084, by Committee on Education and Representative Taylor (by State Board of Education request):

Clarifying law relating to terms and qualifications of state board of education members.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vander Stoep spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1084, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick,

Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

House Bill No. 1084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 996, by Representatives Ellis, Ehlers, Eberle, Johnson, Hastings and James:

Allowing exemption from attendance at public schools upon basis of religious or personal beliefs of person having custody of child.

The bill was read the second time. On motion of Mr. Taylor, Substitute House Bill No. 996 was substituted for House Bill No. 996, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 996 was read the second time.

Mr. Ellis moved adoption of the following amendment by Representatives Ellis, Dickie, Cantu and Ehlers:

On page 3, line 22 after "(c)" strike everything through "testing" on line 25 and insert "Cause the child to have a standardized achievement test administered yearly by a qualified individual either at the location of the private schooling or by a local school district or educational service district, and make the test results a part of the child's permanent records"

Mr. Ellis spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Hine.

Ms. Hine: "Representative Ellis, I approve of this making the choice, but I was wondering if there is any kind of burden placed on the public school people to have to go to the private school. Who makes the decision on where the testing is done?"

Mr. Ellis: "Representative Hine, I'm not sure I can answer that. My guess is that it will be worked out between the private school and the local school district, whatever is most convenient to both parties. The private school would conduct their own test probably and make it part of the child's record; they might have to seek a standardized test from a public school. I don't know where those come from."

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

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Ellis, it doesn't specify where the permanent record of this student will be kept when they take the testing. Could you share with us how you think that will be handled?"

Mr. Ellis: "Yes, Representative Galloway, it's my understanding that under the principle part of the bill, the records are kept by the person who teaches the child. If it's a child in a home, taught by a parent, as many are doing now—that's why this bill has been expanded to recognize that—then that would be a part of that child's record in case he ever transferred into the public schools. The nonapproved private religious schools would be required to keep records just like any other private school, so it would become part of the student's record and follow the student."

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Lux.

Mr. Lux: "In regard to the records, Representative Ellis. If they are kept in a private home and the youngster is taught in the basement somewhere, how do you make sure the records are secure from fire, from rodents, vermin or whatever? What guarantee is there?"

Mr. Ellis: "Representative Lux, how do you protect your deeds in your home—down in your basement in a shoe box where most of us keep our home records? This isn't any different."

Mr. Lux spoke against the amendment, and Mr. Ellis spoke again in favor of it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Erak.

Mr. Erak: "Representative Ellis, I've been looking at your amendment, and it says, 'qualified individual either at the location of the private schooling or by a local school district or educational service district....' Do these private schools participate in the funding to offset the cost of educational service districts in any way that you are aware of?"

Mr. Ellis: "Representative Erak, it would be my understanding that all of these people are taxpayers in the state of Washington. If you are asking if they are paying a fee, I don't know."

Representatives Taylor and Galloway spoke against adoption of the amendment, and Representatives Dickie and Van Dyken spoke in favor of it.

Mr. Nelson (G), demanded the previous question, and the demand was sustained.

The amendment was adopted.

Substitute House Bill No. 996 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1119, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis and Salatino:

Requiring shifts in campaign funds to be reported on a separate page of the public disclosure report.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1119, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Houchen, and Mr. Speaker.

House Bill No. 1119, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1121, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund and Ellis:

Requiring legislators to report certain contracts with governmental units.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 1121 was substituted for House Bill No. 1121, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1121 was read the second time.

Mr. Armstrong moved adoption of the following amendments by Representatives Armstrong, Tupper and Ellis:

On page 1, line 6 before "As" insert "(1)"

On page 1, line 10 after "legislator" insert "and by the governmental unit"

On page 1, line 11 after "into" insert ": PROVIDED, That if the contract was entered into without the knowledge of a person or governmental unit otherwise required to report under this section, then the person or unit shall report within 10 days after gaining such knowledge. For the purposes of this section 'knowledge' shall mean knowing or having reason to know"

On page 1, after line 13 insert:

"(2) The requirements of subsection (1) for reporting by state governmental units are in addition to the filing requirements of chapter 39.29 RCW or any other provision of law. Any state governmental unit

entering into a contract which has not been signed by a legislator and which does not directly involve a legislator but which the unit knows a legislator would be required to report under subsection (1), shall notify the legislator of the contract within ten days of entering into it."

Representatives Armstrong and Tupper spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Armstrong, in the second part of your amendment, you talk about a unit knowing a legislator would be required to report under subsection (1), shall notify the legislator of the contract within ten days of entering into it.' Could you tell me how that is going to be enforced? What penalties are you proposing? Why should the unit involved here have to advise the husband of one of their employees, who happens to be a legislator, of any contract they are entering into?"

Mr. Armstrong: "They should have to because the legislators themselves, first of all, may not know that the spouses' Washington, D.C. arm of the firm has made a contract with the state of Washington. It is very possible the legislator would not know at all that the contract had been made. The question of enforcement is a good question. RCW 39.29 already requires a governmental unit to inform the LBC when a legislator has made a contract with the government. Therefore, some provisions are already in place in that regard. There are no sanctions provided in this bill; there are only the requirements that anyone can look at the records and find out if this is true and raise the issue in the press. That would be a sanction, if not a criminal sanction or civil sanction, which would be applicable to a governmental unit. A sanction applicable to the legislators is the \$10,000 civil penalty, among others."

Ms. Schmidt: "In the committee process, this whole question came up. I guess my feeling was more along the lines of Representative Becker's comments in the committee, that perhaps when these restrictions and requirements are applied to children and spouses, the one-year annual reporting is more enforceable and more appropriate. In the upper section, where you refer to reporting within 10 days after gaining such knowledge, is that reporting the information to a legislator in writing, or orally, or in what way would it be reported?"

Mr. Armstrong: "I think the word 'reporting,' has a common significance. I think it would mean in writing. I hasten to point out that passing this amendment does not mean that you have to vote for or against this bill, all it does is make the bill a good bill if you are going to pass it. I urge passage of the amendment, and then take your choice of whether or not to pass the bill, which requires 10-day reporting instead of annual reporting."

Ms. Schmidt spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Armstrong, Tupper and Ellis to Substitute House Bill No. 1121, and the amendment was adopted by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Addison, Armstrong, Barnes, Barrett, Becker, Bender, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kridler, Leonard, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley.

Voting nay: Representatives Amen, Barr, Bickham, Bond, Chandler, Dickie, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Isaacson, James, Lewis, Lundquist, McGinnis, Nickell, Padden, Prince, Schmidt, Smith, Struthers, Teutsch, Tilly, Van Dyken, Wilson.

Not voting: Representatives Houchen, and Mr. Speaker.

Substitute House Bill No. 1121 was ordered engrossed and passed to Committee on Rules for third reading.

THIRD READING

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 57 was rereferred from third reading calendar to Committee on Local Government.

On motion of Mr. Nelson (G), HOUSE BILL NO. 86 was rereferred from third reading calendar to Committee on Transportation.

NOTICE OF RECONSIDERATION WITHDRAWN

With the consent of the House, Mr. Padden withdrew his notice of reconsideration of ENGROSSED SUBSTITUTE HOUSE BILL NO. 936.

SUBSTITUTE HOUSE BILL NO. 462, by Committee on Education (originally sponsored by Representatives Erickson, Taylor, Winsley, Ellis, Van Dyken, Tupper, Walk, Hine and Brown):

Implementing law relating to the injury or defacement of school property and liability therefor.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 462, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Houchen, Prince.

Substitute House Bill No. 462, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 470, by Select Committee on Vietnam Era Veterans and Representatives Tupper, Bender, Van Dyken, Scott, Dawson, Brown, Pruitt, Winsley, Johnson and Sanders:

Appropriating funds for training of mental health professionals.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 470, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Houchen.

Engrossed House Bill No. 470, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 663, by Committee on State Government (originally sponsored by Representatives Greengo and Tupper):

Modernizing initiative and referendum petition requirements.

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

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

ROLL CALL

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

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Houchen.

Substitute House Bill No. 663, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1014, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Eberle, King, R., Hastings, Owen, Nelson, G., Stratton and Sanders):

Delineating restrictions on taxing powers of counties, cities and towns.

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

Mr. Eberle spoke in favor of passage of the bill, and Mr. Barr spoke against it.

POINT OF INQUIRY

Mr. Eberle yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Eberle, under Substitute House Bill No. 1014, are local utility districts and local improvement districts which are under the jurisdiction of PUD's, water districts or sewer districts still permitted to impose special assessments, rates and charges for services provided, such as water hook-up connection charges?"

Mr. Eberle: "Yes, Representative Mitchell. Substitute House Bill No. 1014 specifically provides that all actions currently authorized by statute will continue with no change whatsoever. Explicit authorization for special districts to impose special assessments, rates and charges for services provided is already identified in the statutes. This authorization is provided as follows:

Water District's LID assessments are in RCW 57.16.060;

Sewer District's LID assessments are in RCW 56.20.030;

PUD assessments in RCW 54.16.120; and PUD charges and rates are in RCW 54.24.080."

Representatives King (R) and Nelson (G) spoke in favor of passage of the bill, and Representatives Hine and Kreidler spoke against it.

Mr. Nelson (G) spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1014, and the bill passed the House by the following vote: Yeas, 60; nays, 34; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Garson, Greengo, Grimm, Hankins, Hastings, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, Granlund, Heck, Hine, Kreidler, Lux, Maxie, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Tupper, Valle, Van Dyken, Wang.

Not voting: Representatives Bond, Houchen, McDonald, Padden.

Substitute House Bill No. 1014, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1033, by Committee on Labor and Economic Development and Representatives Sanders and Clayton:

Modifying provisions relating to unemployment compensation.

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

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1033, and the bill passed the House by the following vote: Yeas, 72; nays, 23; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Brown, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Granlund, Kaiser, King R., Kreidler, Lux, Maxie, Nelson D., O'Brien, Rust, Scott, Sherman, Wang.

Not voting: Representatives Houchen, Padden, Salatino.

House Bill No. 1033, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1063, by Committee on Labor and Economic Development (originally sponsored by Committee on Labor and Economic Development and Representatives Sanders and Schmidt):

Modifying provisions relating to alcoholic beverages.

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

Mr. Sanders spoke in favor of passage of the bill, and Ms. Brekke spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Heck, Hine, Isaacson, James, King J., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Patrick, Prince, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Tilly, Valle, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Berleen, Brekke, Burns, Cole, Dickie, Ehlers, Eng, Galloway, Garrett, Granlund, Grimm, Johnson, Kaiser, King R., Kreidler, Lux, Nelson D., North, Owen, Pruitt, Rust, Scott, Sherman, Stratton, Tupper, Van Dyken, Vander Stoep, Walk, Winsley.

Not voting: Representatives Ellis, Houchen, Padden, Taylor.

Engrossed Substitute House Bill No. 1063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 410, by Committee on Human Services and Representatives Mitchell and Hine (by Department of Social and Health Services request):

Modifying provisions relating to county alcoholism and drug abuse programs.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 410, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton,

Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Ellis, Houchen, Padden.

House Bill No. 410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1185, by Representatives Eng, Dawson, Monohon, Salatino, North, Owen, Lux and Burns:

AN ACT Relating to the refinancing of creatively financed homes; adding a new section to chapter 19.52 RCW; and creating a new section.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1186, by Committee on Ethics, Law and Justice and Representative Valle:

AN ACT Relating to traffic infractions; and amending section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1187, by Committee on Financial Institutions and Insurance and Representative Dawson:

AN ACT Relating to financial institutions; amending section 4, chapter 192, Laws of 1981 and RCW 30.22.040; amending section 10, chapter 192, Laws of 1981 and RCW 30.22.100; and providing an effective date.

To Committee on Financial Institutions and Insurance

MOTION

On motion of Mr. Nelson (G), the bills listed on the supplemental agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 11, 1982

HOUSE BILL NO. 436, Prime Sponsor: Representative North, establishing the state auctioneers commission. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Cole, Eberle, Flanagan, Hankins.

Voting nay: Representative Smith.

Not attending: Representatives King (J), Ranking Minority Member; Brekke, Brown, Garrett, Lux, Monohon.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 476, Prime Sponsor: Representative Thompson, exempting certain library records from requirements for public disclosure. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust.

Not attending: Representatives Erak, Sprague.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1006, Prime Sponsor: Committee on Local Government, revising law on compensation for taking of property by governments. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hinc, Ranking Minority Member; Barrett, Berleen, Brown, Burns, Chamberlain, Garrett, James, Kreidler, Leonard, Stratton, Tilly, Van Dyken.

Voting nay: Representatives Barr, Burns, Cole, Leonard, North.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1052, Prime Sponsor: Committee on Local Government, updating the state building code. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hinc, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Brown, Leonard, Tilly.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1117, Prime Sponsor: Committee on Labor and Economic Development, making an appropriation to the employment security department. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barrett, Clayton, Cole, Eberle, Garrett, Hankins, Lux, Monohon, Smith.

Voting nay: Representative Brekke.

Not attending: Representatives Barr, Brown, Flanagan.

Rereferred to Committee on Appropriations - General Government.

February 11, 1982

HOUSE BILL NO. 1126, Prime Sponsor: Committee on Ethics, Law and Justice, requiring legislators to disclose conflicts of interest. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Winsley.

Not voting: Representative Tilly.

Not attending: Representatives Becker, Wang, Winsley.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1127, Prime Sponsor: Committee on Labor and Economic Development, modifying provisions relating to industrial insurance. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Smith.

Not attending: Representatives King (J), Ranking Minority Member; Brekke, Brown, Cole, Garrett, Lux, Monohon.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1130, Prime Sponsor: Representative Nickell, funding the uniform crime reports program of the sheriffs' and police chiefs' association. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Ellis, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representatives Barnes, Kaiser.

Passed to Committee on Rules for second reading.

February 11, 1982

HOUSE BILL NO. 1174, Prime Sponsor: Committee on Ways and Means, requiring joint operating agencies to pay the costs of elections authorizing the sale of bonds for major public energy projects. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Not attending: Representative Struthers, Vice Chairman.

Passed to Committee on Rules for second reading.

February 12, 1982

HOUSE BILL NO. 1178, Prime Sponsor: Committee on Local Government, restricting the use of electrical inspection fees of cities and towns. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18 strike "electrical"

On page 1, line 18 beginning with "If" strike all the matter down to and including "fund." on line 22

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Barrett, Berleen, Chamberlain, Garrett, James, Leonard, Stratton, Tilly, Van Dyken.

MINORITY recommendation: Do not pass. Signed by Representatives Hine, Ranking Minority Member; Burns, Cole, Kreidler, North.

Passed to Committee on Rules for second reading.

February 12, 1982

HOUSE BILL NO. 1180, Prime Sponsor: Representative Lundquist, permitting certain counties to choose commissioners from districts with unequal populations. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Barrett, Berleen, Burns, Chamberlain, Garrett, James, Kreidler, Leonard, North, Stratton.

Voting nay: Representatives Hine, Ranking Minority Member; Cole.

Not attending: Representatives Brown, Kreidler, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

February 12, 1982

HOUSE JOINT MEMORIAL NO. 22, Prime Sponsor: Committee on Ways and Means, requesting passage of an enterprise zone act. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 28 strike "basis" and insert "bases"

Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representative Becker.

Not attending: Representatives Struthers, Vice Chairman; Thompson, Warnke.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1147 was rereferred from Committee on Institutions to Committee on Revenue.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-116, by Representative Rinehart

WHEREAS, The Pacific Northwest Trail is one of several interstate wilderness trails in the United States; and

WHEREAS, The Pacific Northwest region is abundantly blessed with natural beauty, especially in its mountains and forests; and

WHEREAS, The enjoyment of the region's natural environment through involvement in outdoor recreational activities is an important part of the lives of many of the residents of the state of Washington; and

WHEREAS, The establishment and maintenance of trails is essential to provide access to wilderness areas; and

WHEREAS, The Pacific Northwest Trail offers a unique opportunity to experience the variety of nature in the Pacific Northwest region by linking this state's natural areas with those of neighboring states;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the administration and Congress are urged to recognize the valuable contribution to outdoor recreational activity made by the Pacific Northwest Trail by including it within the national trail system; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Honorable Ronald Reagan, President of the United States; the Secretary of the Interior; the President of the United States Senate;

the Speaker of the United States House of Representatives, and each member of Congress from the state of Washington.

On motion of Ms. Rinehart, House Resolution No. 82-116 was adopted.

HOUSE RESOLUTION NO. 82-117, by Representatives Nelson (G), Ehlers, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, Richard Larsen has served for nearly fourteen years as a political writer for "The Seattle Times" newspaper; and

WHEREAS, He has consistently maintained the highest standards of the journalistic profession, earning the respect of his colleagues, as well as that of those who are involved in the political process in the state of Washington; and

WHEREAS, He has made a significant contribution to public understanding of political and governmental institutions in the state of Washington, and of the decision-making process; and

WHEREAS, He has also contributed to public understanding of many important issues that affect the citizens of this state; and

WHEREAS, He has given those who serve the public a different perspective of themselves and their role by his sometimes merciless, but never malicious, emphasis on their faults and foibles; and

WHEREAS, He has proven, time and again, often to the chagrin of Governors, Speakers, Legislators, and other high personages, that the pen is indeed mightier than the sword, and that its cutting edge can be twice as painful; and

WHEREAS, He has chosen to begin a new phase in his journalistic career by moving from the political arena to the sports arena;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That Richard Larsen be commended for his many contributions to journalism and, particularly, to political reporting and commentary over the years, and;

BE IT FURTHER RESOLVED, That the members and staff of the House of Representatives, on behalf of all involved in state government and on behalf of the citizens of Washington State, extend best wishes to him as he embarks upon the next phase of his outstanding journalistic career; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be suitably inscribed, attested to, and delivered to Richard Larsen in testimony of our respect, and our relief.

Mr. Nelson (G) moved adoption of the resolution. Representatives Nelson (G) and Ehlers spoke in favor of it.

House Resolution No. 82-117 was adopted.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:30 a.m., Monday, February 15, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 15, 1982.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Leonard and Thompson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jill Owen and Wayland Wasseman. Prayer was offered by The Reverend Judson Crary of the Good Shepherd Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

February 12, 1982

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3027,
 ENGROSSED SENATE BILL NO. 3112,
 SUBSTITUTE SENATE BILL NO. 3541,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3557,
 ENGROSSED SENATE BILL NO. 3587,
 SUBSTITUTE SENATE BILL NO. 3679,
 SECOND SUBSTITUTE SENATE BILL NO. 3775,
 SENATE BILL NO. 4112,
 ENGROSSED SENATE BILL NO. 4113,
 SUBSTITUTE SENATE BILL NO. 4163,
 SENATE BILL NO. 4329,
 SENATE BILL NO. 4436,
 SUBSTITUTE SENATE BILL NO. 4437,
 SUBSTITUTE SENATE BILL NO. 4438,
 SUBSTITUTE SENATE BILL NO. 4439,
 SUBSTITUTE SENATE BILL NO. 4449,
 SUBSTITUTE SENATE BILL NO. 4460,
 SUBSTITUTE SENATE BILL NO. 4461,
 SENATE BILL NO. 4466,
 SENATE BILL NO. 4473,
 ENGROSSED SENATE BILL NO. 4474,
 ENGROSSED SENATE BILL NO. 4477,
 SUBSTITUTE SENATE BILL NO. 4481,
 ENGROSSED SENATE BILL NO. 4483,
 ENGROSSED SENATE BILL NO. 4492,
 SENATE BILL NO. 4516,
 ENGROSSED SENATE BILL NO. 4548,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4655,
 ENGROSSED SENATE BILL NO. 4733,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1188, by Representatives Van Dyken, Lundquist and Fiske:

AN ACT Relating to the Fortieth and Forty-second legislative districts; amending section 51, chapter 288, Laws of 1981 and RCW 44.07B.400; and amending section 53, chapter 288, Laws of 1981 and RCW 44.07B.420.

To Select Committee on Redistricting

HOUSE BILL NO. 1189, by Representatives King (J), Heck, Thompson and Galloway:

AN ACT Relating to the state schools for the blind and deaf; amending section 72.05.140, chapter 28, Laws of 1959 as last amended by section 1, chapter 58, Laws of 1980 and RCW 72.05.140; amending section 72.40.080, chapter 28, Laws of 1959 as last amended by section 153, chapter 275, Laws of 1975 1st ex. sess. and RCW 72.40.080; and creating a new section.

To Committee on Human Services

HOUSE BILL NO. 1190, by Representatives Fancher, Barr and Galloway:

AN ACT Relating to cogeneration and pollution control facilities tax credits; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; amending section 1, chapter 139, Laws of 1967 ex. sess. as last amended by section 1, chapter 9, Laws of 1981 2nd ex. sess. and RCW 82.34.010; creating a new section; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1191, by Committee on Revenue and Representatives Nelson (D), Greengo, Brekke, Tupper, Armstrong, Burns and Rinehart:

AN ACT Relating to property taxation; amending section 6, chapter 87, Laws of 1970 ex. sess. as last amended by section 10, chapter 148, Laws of 1981 and RCW 84.34.060; adding a new section to chapter 84.34 RCW; and providing an effective date.

To Committee on Revenue

SECOND SUBSTITUTE SENATE BILL NO. 3027, by Committee on Parks and Ecology (originally sponsored by Senators Williams and Fuller – by Committee on Ecology of the 46th Legislature request):

Restricting the destruction of historic properties.

To Committee on State Government

ENGROSSED SENATE BILL NO. 3112, by Senators Talmadge, Hemstad, Shinpoch, Vogniid and Deccio:

Providing for the award of expenses to prevailing parties in civil actions.

To Committee on Ethics, Law and Justice

SECOND SUBSTITUTE SENATE BILL NO. 3541, by Committee on Education (originally sponsored by Senators Gaspard, Gould, Talmadge and Kiskaddon):

Authorizing administration of oral medication by common school and private school personnel.

To Committee on Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 3557, by Committee on Natural Resources (originally sponsored by Senators Peterson, Talley and Gallagher):

Requiring a salmon management plan.

To Committee on Natural Resources and Environmental Affairs

ENGROSSED SENATE BILL NO. 3587, by Senator Gaspard:

Implementing law relating to kindergartens.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3679, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Sellar):

Permitting savings banks to pay interest and dividends from their guarantee funds under certain conditions.

To Committee on Financial Institutions and Insurance

SECOND SUBSTITUTE SENATE BILL NO. 3775, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Moore – by Department of Licensing request):

Regulating real estate time-sharing.

To Committee on Ethics, Law and Justice

- SENATE BILL NO. 4112, by Senator Craswell (by Office of Financial Management request):
 Creating the natural resources account.
 To Committee on Appropriations – General Government
- ENGROSSED SENATE BILL NO. 4113, by Senators Quigg, Gaspard and Conner:
 Updating references to the state building codes.
 To Committee on State Government
- SUBSTITUTE SENATE BILL NO. 4163, by Committee on Natural Resources (originally sponsored by Senator Gallagher):
 Revising limitations on lease of state lands for agricultural purposes.
 To Committee on Natural Resources and Environmental Affairs
- SENATE BILL NO. 4329, by Senators Clarke and Zimmerman:
 Authorizing municipal corporations to establish lines of credit.
 To Committee on Local Government
- SENATE BILL NO. 4436, by Senators Hansen and Goltz:
 Providing for no implied warranty that livestock are free from disease or breedable.
 To Committee on Agriculture
- SUBSTITUTE SENATE BILL NO. 4437, by Committee on Agriculture (originally sponsored by Senators Hansen and Goltz):
 Modifying the laws governing commission merchants and dealers of agricultural products.
 To Committee on Agriculture
- SUBSTITUTE SENATE BILL NO. 4438, by Committee on Agriculture (originally sponsored by Senator Hansen):
 Modifying the laws governing commission merchants.
 To Committee on Agriculture
- SUBSTITUTE SENATE BILL NO. 4439, by Committee on Agriculture (originally sponsored by Senator Hansen):
 Changing maximum cattle assessments.
 To Committee on Agriculture
- SUBSTITUTE SENATE BILL NO. 4449, by Committee on Judiciary (originally sponsored by Senator Conner):
 Increasing the number of judges in Clallam and Jefferson counties.
 To Committee on Ethics, Law and Justice
- SUBSTITUTE SENATE BILL NO. 4460, by Committee on Transportation (originally sponsored by Senator Guess):
 Revising bicycle laws.
 To Committee on Transportation
- SUBSTITUTE SENATE BILL NO. 4461, by Committee on Judiciary (originally sponsored by Senators Bluechel, Deccio, Charnley, Benitz, Fuller, Gallagher, Gould, Guess, Haley, Jones, Lee, Patterson, Quigg, Sellar and von Reichbauer):
 Modifying time limits and evidence rules in actions involving the sexual abuse of children.
 To Committee on Ethics, Law and Justice
- SENATE BILL NO. 4466, by Senator Gallagher (by Department of Game request):
 Revising law on inspecting businesses that sell or handle wildlife.
 To Committee on Natural Resources and Environmental Affairs

SENATE BILL NO. 4473, by Senators Pullen and Rasmussen:

Applying penalties for violations of the Public Disclosure Law to all person uniformly.

To Committee on State Government

ENGROSSED SENATE BILL NO. 4474, by Senators Vognild, Gould, Talmadge, Woody and Metcalf:

Modifying provisions relating to witnesses in criminal proceedings.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4477, by Senators Fuller and Zimmerman:

Modifying provisions relating to volunteer work on state park lands.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 4481, by Committee on Local Government (originally sponsored by Senators Sellar and Talley):

Revising review limitations of sewer or water district plans.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 4483, by Senators Hemstad, Talmadge and Wojahn:

Prescribing penalties for assaults on transit drivers.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4492, by Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request):

Excluding all parking offenses from additional penalty assessments.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4516, by Senators Talmadge and Hemstad:

Modifying provisions relating to garnishment.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4548, by Senators Haley, Charnley, Hemstad and Bluechel:

Requiring children under five in their parents' vehicles to be secured in a child passenger restraint system.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 4655, by Committee on Education (originally sponsored by Senators Kiskaddon, Gaspard, Gould and Hemstad):

Making changes in the learning objectives and basic education school law.

To Committee on Education

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

To Committee on Institutions

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Leonard and Thompson, who were excused.

SECOND READING

HOUSE BILL NO. 148, by Representatives Tupper, Nelson (D), Lux and Nisbet:

Reducing minimum age qualifications to eighteen for all purposes except alcoholic beverage consumption.

The bill was read the second time. On motion of Mr. Amen, Substitute House Bill No. 148 was substituted for House Bill No. 148, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 148 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson (D) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 148, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Bond, Dickie, Fiske, Leonard, Sherman, Thompson.

Substitute House Bill No. 148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My vote failed to record my "Aye" on Substitute House Bill No. 148.

MARION KYLE SHERMAN, 47TH District.

HOUSE BILL NO. 823, by Representatives Bickham, Lewis, Dickie, Johnson, Smith, Ellis and Dawson:

Requiring notice to property owner and occupant before issuing local improvement assessment deeds.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 823 was substituted for House Bill No. 823, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 823 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 823, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Dickie, Fiske, Leonard, Sommers, Thompson, Tupper.

Substitute House Bill No. 823, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 829, by Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick:

Restricting the ability of local public officials to mail campaign material at public expense.

The bill was read the second time.

On motion of Mr. Vander Stoep, the following amendment by Representatives Vander Stoep and Padden was adopted:

On page 1, line 13 after "which" insert ", except an official voter information guide expressly authorized by law."

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 829, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatin, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Dickie, Fiske, Leonard, Thompson, Tupper.

Engrossed House Bill No. 829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish the record to show my vote as "Aye" on Substitute House Bill No. 148, Substitute House Bill No. 823 and House Bill No. 829.

LYLE DICKIE, 15th District.

HOUSE BILL NO. 883, by Representatives Garson, Clayton, Martinis, Patrick, Walk, Wilson, Hankins and McCormick:

Limiting liability for persons rendering aid in hazardous material incidents.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Garson yielded to question by Ms. Hine.

Ms. Hine: "Representative Garson, three years ago the Puget Sound Council of Governments was granted some federal funds, (I had the privilege of being president of the Council of Governments at that time) to undertake a study on the transportation and movement of hazardous materials. It was recognized that all over the nation we had a problem in that arena, and we assembled a task force made up of people from the industry, from transportation, from the local governments, fire and police. I know that group has been working very effectively. My question is: Does this bill represent the results and recommendations of that group? If the answer is 'yes,' that's the end of my statement, and if not, then I'd like to know where there may be a conflict?"

Mr. Garson: "Yes, Representative Hine, it most definitely does come out of that study. It should be one of the vanguards and will be only the second of its kind in the United States to

pass. That was a very valuable study and this is the beginning, I think, of many good things to come from that."

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 883, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard, Thompson.

House Bill No. 883, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 895, by Representatives Hankins, Martinis, James, McCormick, Patrick, Prince, Chamberlain, Isaacson, Johnson, Garrett, Garson and Hastings:

Eliminating the use of legal-size media by the state.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 895 was substituted for House Bill No. 895, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 895 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 896, by Representatives Tilly, Stratton, Nickell and North:

Revising the laws regulating snowmobiles.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 896, and the bill passed the House by the following vote: Yeas 86; nays, 8; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bender, Ehlers, Fancher, Garrett, Kreidler, Scott, Van Dyken.

Not voting: Representatives Fiske, Gallagher, Leonard, Thompson.

House Bill No. 896, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 914, by Representatives Lundquist, Van Dyken, James and Fiske:

Clarifying procedures for reviewing shoreline permits.

The bill was read the second time. On motion of Ms. Rosbach, Substitute House Bill No. 914 was substituted for House Bill No. 914, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 914 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 941, by Representatives McGinnis and Williams (by Governor Spellman request):

Establishing an office of information systems.

The bill was read the second time. On motion of Mr. Williams, Second Substitute House Bill No. 941 was substituted for House Bill No. 941, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 941 was read the second time.

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

On page 7, line 33 after "agencies" strike ", including but not limited to institutions of higher education"

On page 30, line 33 after "agencies" strike "and institutions of higher education"

On page 31, line 4 after "agency" strike "or institution of higher education"

On page 31, line 8 after "agency" strike "or institution of higher education"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

Representative Thompson appeared at the bar of the House.

HOUSE BILL NO. 965, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Johnson (by Department of Corrections request):

Authorizing the request of local law enforcement agencies assistance during prison riots.

The bill was read the second time. On motion of Ms. Houchen, Substitute House Bill No. 965 was substituted for House Bill No. 965, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 965 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 965, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard.

Substitute House Bill No. 965, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 966, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

Modifying time limits for furloughs for residents of state correctional institutions.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 966, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis,

Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard.

House Bill No. 966, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 967, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

Providing additional conditions for prisoners' leave of absence.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Houchen yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Houchen, I understand that the superintendent would approve the community service work and that the local law enforcement people would be notified. Is there any provision for the community itself to be involved in the choice of what projects the inmates might work on?"

Ms. Houchen: "I think if you look historically at the activities that have been entered into by these inmates, it generally is an agreement with the superintendent and the community. In other words, the superintendent is not going to send inmates out that the community would not want there. It's a cooperative effort between the superintendent and the community."

Ms. Rinehart: "But that's on an historical basis rather than any statutory measure?"

Ms. Houchen: "I think you could expect that to continue."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 967, and the bill passed the House by the following vote: Yeas, 89; nays, 7; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, King R., McDonald, Monohon, Rinehart, Stratton, Tilly.

Not voting: Representatives Fiske, Leonard.

House Bill No. 967, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 970, by Committee on Institutions and Representatives Houchen, Owen, Struthers, Clayton and Hastings (by Department of Corrections request):

Providing for warrants of arrest for escaped prisoners.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 970, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis,

Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard.

House Bill No. 970, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 973, by Representatives Wang, Mitchell, Barnes, Kreidler, Vander Stoep, Nelson (D), Rinehart, Tupper, Stratton, Pruitt, Lux, Sherman and Armstrong:

Providing for reduced temperature settings of residential water heaters.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 973 was substituted for House Bill No. 973, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 973 was read the second time.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Barrett, Isaacson, Eberle and Hastings:

On page 2, after section 3 add a new section as follows:

"NEW SECTION. Sec. 4. There is added to chapter 19.27 RCW a new section to read as follows:

Any public utility supplying energy to a hot water heater shall be responsible for enforcing the requirements established by section 2 of this act and shall be subject to strict liability for injuries proximately resulting from a failure to exercise reasonable inspection and enforcement procedures."

Mr. Bond spoke in favor of the amendment, and Mr. Wang spoke against it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Bond, I'm wondering what the fiscal impact of your amendment would be under Initiative 62?"

Mr. Bond: "I don't think it has an effect on that. That would relate to requirements we placed on lesser governments. There wouldn't be any if there wasn't any liability."

Mr. Nelson (D): "Yes, but isn't it clear that you are requiring the public utilities which are local units of government to enforce this amendment?"

Mr. Bond: "That point needs some clearing up. I'm glad you asked the question. The term 'public utilities' relates to all utility companies, whether privately-owned, investor-owned or PUD's."

Mr. Nelson (D): "I guess my question; Representative Bond, is for a municipal utility or a public utility district under this amendment, would be required to enforce the requirements of section 2? I'm wondering what the fiscal impact would be on the state under Initiative 62, which requires that the state pay for any requirements we impose on local governments."

Mr. Bond: "You may be aware that all utility companies have safety programs, and they all have close relationships with appliance dealers, contractors and that sort of thing, to be sure that installations are properly made. I don't think that represents much of an impact."

Representatives Nelson (D) and Armstrong spoke against the amendment, and it was not adopted.

Substitute House Bill No. 973 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 991, by Representatives Van Dyken, Bond, Fiske, Struthers, Taylor, Tupper, Greengo, Wilson, James, Lundquist, Johnson, Padden, Addison, Isaacson, Hastings, Smith, Sanders, Tilly, Hankins, Mitchell, Bickham, Ellis and Clayton:

Providing relief from sales and use taxes paid upon bad debts.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 991, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard.

House Bill No. 991, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1000, by Committee on Education and Representative Vander Stoep:

Authorizing pilot program for four day work week in schools.

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

HOUSE BILL NO. 1015, by Representatives Greengo, Sommers, Chandler, O'Brien, Struthers, Warnke, Tilly, Thompson, Williams, Armstrong, Ellis, Sanders, Maxie, Cantu, Teutsch and Johnson:

Providing for the construction of the state convention and trade center.

The bill was read the second time. On motion of Mr. Chandler, Substitute House Bill No. 1015 was substituted for House Bill No. 1015, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1015 was read the second time.

Mr. King (J) moved adoption of the following amendment by Representatives King (J) and Galloway:

On page 5, after line 32 insert a new section as follows:

*NEW SECTION. Sec. 11. (1) The legislature finds that the development of convention and trade and facilities throughout the state will complement the state's tourism program, the state trade and convention center and will create economic benefits throughout the state of Washington.

(2) Commencing April 1, 1982, cities and counties throughout the state are authorized to impose, at local option, and if imposed the state department of revenue shall collect, a special excise tax on hotel and motel rooms as consistent with the definitions provided in section 9. The rate of the tax imposed under this section shall be:

- (a) Not to exceed five percent in the city in which a convention and trade facility is located; and
- (b) Not to exceed two percent in the county area outside the city in which the facility is located.

(3) No special excise tax pursuant to this section shall be authorized for a city unless it is approved by the legislative body of the city. Neither shall a special excise tax for a county area be imposed unless it is approved by the affected legislative body of the county.

(4) The proceeds of the tax may be used solely for the planning, design, construction, furnishing, landscaping and financing costs of local convention and trade centers, or repayment of any bonded indebtedness related thereto.

(5) The legislative body of any city or county, before imposing the tax, shall have completed and approved a study and plan to establish the desirability and economic feasibility of the proposed convention and trade facilities.

(6) The city in which a facility is located may at its option request that state general obligation bonds be authorized to fund a local trade and convention center. The state legislature declares its intent to consider the issuance of state general obligation bonds to fund local convention and trade center facilities, provided that the state finance committee approves a bond repayment plan based solely on revenues generated by local special excise taxes authorized pursuant to this section."

Re-number the remaining sections consecutively.

Mr. King (J) spoke in favor of the amendment, and Mr. Chandler spoke against it.

Mr. King (J) spoke again in favor of the amendment, and it was not adopted.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Amen:

On page 6, after line 2 insert the following:

"Sec. 12. Section 12, chapter 236, Laws of 1967 and RCW 67.28.190 are each amended to read as follows:

Any seller, as defined in RCW 82.08.010, who is required to collect any tax under RCW 67.28.180 for any municipality shall pay over such tax to such municipality as provided in RCW 67.28.200 (~~and such tax shall be deducted~~). If a seller is required to collect tax for both a city and a county under RCW 67.28.180(2)(b) and the combined city and county tax rate exceeds two percent, the seller shall deduct a portion of the combined tax from the amount of tax such seller would otherwise be required to collect and to pay over to the department of revenue under chapter 82.08 RCW. The portion deducted shall equal the difference between the amount of tax collected under RCW 67.28.180(2)(b) and the amount that would have been collected if the combined tax rate equaled two percent."

Renumber the remaining sections consecutively and correct internal references accordingly.

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I would raise a question of scope and object on this amendment."

SPEAKER'S RULING

The Speaker: "Representative Ehlers, I have examined the title of the bill and the substance of the bill and find that it is an act relating to public utilities and adding a new chapter to Title 67 RCW. The bill, in section 10, deals with chapter 67.28 RCW and 82.14 RCW. The amendment before us deals with 67.28 and 82.08 RCW and does deal with the tax on public utilities and the tax on hotel/motel rooms, so I would find your point of order is not well taken and the amendment is within the scope and object of the bill."

Representatives Flanagan and Amen spoke in favor of the amendment, and Representatives Chandler, O'Brien and Sommers spoke against it.

Mr. Flanagan spoke again in favor of the amendment, and it was not adopted.

The Clerk read the following amendment by Representative Flanagan:

On page 6, line 18 after "immediately" insert ": PROVIDED, That section 12 of this act shall take effect on January 1, 1983"

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

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Chandler, Sommers, Isaacson, Nelson (G) and Greengo spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Lux.

Mr. Lux: "Representative Chandler, what is the debt service on this \$100 million bond issue?"

Mr. Chandler: "It obviously depends on the interest rate at which you sell the bonds. The projection is that we would pay off early, that we will have more than sufficient funds to pay off early, so your question is almost impossible to answer. Let me try. If the rate is 11.1%, then the total debt service over the full twenty-five years would be \$296 million, but if you pay it off earlier, then you would deduct \$11,841,000 every year that you pay it off early. The thing to remember is, that it is the people who visit the state of Washington and stay in those rooms who are paying that. It's not a general obligation tax for the people of the state of Washington. We're taking advantage of an opportunity here, and we're allowing seventy-five hundred people who don't have jobs to go to work, and we're putting \$60 million into the general fund which we wouldn't have otherwise."

Mr. Lux spoke against passage of the bill, and Mr. Chandler spoke again in favor of it.

Mr. Flanagan spoke against passage of the bill, and Mr. Lux spoke again in opposition to it, but stated he would vote for it.

Representatives O'Brien, McGinnis, North and Garrett spoke in favor of passage of the bill.

Mr. Struthers demanded an oral roll call vote and the demand was sustained.

Representatives Martinis and Stratton spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1015, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, Johnson, Kaiser, King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Brown, Clayton, Dickie, Ehlers, Flanagan, Heck, James, King J., Lundquist, Padden, Salatino, Smith, Taylor, Vander Stoep, Walk, Wilson.

Not voting: Representatives Fiske, Leonard.

Substitute House Bill No. 1015, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1041, by Representatives Fiske, Galloway, Van Dyken and Smith:

Applying the marketing contract provisions to foreign agricultural cooperative associations.

The bill was read the second time. On motion of Mr. Smith, Substitute House Bill No. 1041 was substituted for House Bill No. 1041, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1041 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1041, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard.

Substitute House Bill No. 1041, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1047, by Representatives Johnson, Mitchell, Kreidler, Grimm, Tupper, Teutsch, Cantu, Hankins, Winsley, McGinnis, Lundquist, Lewis, Brown, Hine, Vander Stoep and Ellis:

Authorizing dentists qualified in anesthesiology to administer anesthetics for any operation.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 1047 was substituted for House Bill No. 1047, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1047 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1047, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, King J., Leonard.

Substitute House Bill No. 1047, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1067, by Committee on Transportation and Representatives Garrett and Wilson:

Updating statutory references within the Model Traffic Ordinance.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1067, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard, Schmidt.

House Bill No. 1067, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1069, by Representatives Leonard, Bond, Patrick, Brown, McGinnis, Stratton, Johnson, McCormick, Owen, Addison, Barrett, Schmidt, Scott, Nickell, Chamberlain, Rosbach and Padden:

Making autopsies mandatory in certain cases.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 1069 was substituted for House Bill No. 1069, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1069 was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1086, by Representatives Berleen, Owen, Wilson, McCormick, Eberle, Martinis, Rosbach and Nelson (G):

Making program for testing motor vehicles for emissions voluntary.

The bill was read the second time. On motion of Mr. Wilson, Substitute House Bill No. 1086 was substituted for House Bill No. 1086, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1086 was read the second time.

On motion of Mr. Nelson (G), Substitute House Bill No. 1086 was rereferred to Committee on Appropriations - General Government.

HOUSE BILL NO. 1131, by Representatives Flanagan and Smith:

Revising the Commercial Feed Act.

The bill was read the second time. On motion of Mr. Smith, Substitute House Bill No. 1131 was substituted for House Bill No. 1131, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1131 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1131, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard, Schmidt.

Substitute House Bill No. 1131, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1144, by Committee on Institutions and Representatives Houchen, Amen and Barr:

Establishing criteria for state funding of remodeling jails for use as holding facilities.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Houchen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1144, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Shefman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Leonard, Schmidt.

House Bill No. 1144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 902, by Committee on Financial Institutions and Insurance and Representatives Dawson and Bickham:

Revising laws relating to insurance.

The bill was read the second time. On motion of Mr. Dawson, Substitute House Bill No. 902 was substituted for House Bill No. 902, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 902 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 902, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Lundquist.

Not voting: Representatives Fiske, Leonard.

Substitute House Bill No. 902, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1122, by Committee on Ethics, Law and Justice and Representatives Tupper, Granlund, Ellis, Salatino and Wang:

Requiring legislators to report the receipt of honorariums.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 1122 was substituted for House Bill No. 1122, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1122 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1122, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Dawson, Fiske, Leonard, Schmidt.

Substitute House Bill No. 1122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 860, by Representatives Mitchell, Prince, Stratton and Taylor:

Modifying provisions relating to day-care services.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 860 was substituted for House Bill No. 860, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 860 was read the second time.

Ms. Becker moved adoption of the following amendment:

On page 6, line 1 after "more than" strike "twelve children," and insert "six children, or not more than twelve children, if at least six of them are over the age of six."

Representatives Becker, King (J), Rinehart and Teutsch spoke in favor of the amendment, and Representatives Mitchell, Padden, Taylor, McGinnis and Patrick spoke against it.

Ms. Becker spoke again in favor of the amendment, and Mr. Mitchell again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to Substitute House Bill No. 860, and the amendment was not adopted by the following vote: Yeas, 46; nays, 48; not voting, 4.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hinc, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Not voting: Representatives Dawson, Fiske, Leonard, Schmidt.

Substitute House Bill No. 860 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 871, by Representatives Kreidler and Pruitt:

Modifying provisions relating to funeral directors.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 871 was substituted for House Bill No. 871, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 871 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 871, and the bill passed the House by the following vote: Yeas 80; nays, 14; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Clayton, Dickie, Fancher, Flanagan, Isaacson, James, Johnson, Padden, Rosbach, Van Dyken, Vander Stoep, Williams.

Not voting: Representatives Dawson, Fiske, Leonard, Schmidt.

Substitute House Bill No. 871, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1156, by Committee on Local Government and Representatives Isaacson and Nelson (G):

Permitting the establishment of cultural arts, stadium, and convention districts.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 1156 was substituted for House Bill No. 1156, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1156 was read the second time.

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

On page 14, line 9 after "of" strike "thirty" and insert "twenty-five"

On motion of Ms. Galloway, the following amendment by Representatives Galloway and Chamberlain was adopted:

On page 14, line 16 after "fewer than" strike "sixty" and insert "fifteen"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Berleen spoke against passage of the bill, and Representatives Nelson (G) and Isaacson spoke in favor of it.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Isaacson, you mentioned that it was defeated on a county basis on the stadium in Kennewick. Why wasn't it put on a city ballot?"

Mr. Isaacson: "It hasn't had time yet. The last election was when it failed to make it. The city is looking at that, and there has been no decision to put it on the city ballot at this time. It's too soon to make that decision between then and now."

Representatives Salatino, Addison, Garrett, Padden and Flanagan spoke against passage of the bill, and Representatives Hine, King (J) and Chandler spoke in favor of it.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Brown.

Mr. Brown: "Representative Isaacson, I've been listening to the debate here and I voted for this bill in committee. Now my concern is: Are we going around the 106% lid? Is that our intent here?"

Mr. Isaacson: "The intent is not necessarily to go around the 106% levy lid, but rather to respond to the wishes of a community or a community of interest, which is concerned about providing a cultural arts facility, a performing arts facility, or a stadium. This bill provides the mechanism by which they can make that decision. Contrary to what has been said on the floor, if you will look at page 4 of the bill, starting with line 3, subsection (4), the bill states: 'The proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district at the next general election held sixty or more days after the adoption of the resolution or at a special election called for such purpose. The district shall be created upon approval of the proposition by simple majority vote.'"

Mr. Brown spoke against passage of the bill.

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

Mr. Nelson (G) closed debate, speaking again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1156, and the bill passed the House by the following vote: Yeas, 64; nays, 30; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Chamberlain, Chandler, Cole, Ellis, Erak, Fancher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Sanders, Scott, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Becker, Berleen, Bond, Brekke, Brown, Burns, Cantu, Clayton, Dickie, Eberle, Ehlers, Eng, Flanagan, Gallagher, Garrett, Grimm, Houchen, James, Lundquist, Nelson D., Padden, Pruitt, Rinehart, Salatino, Sherman, Smith, Walk, Wilson.

Not voting: Representatives Dawson, Fiske, Leonard, Schmidt.

Engrossed Substitute House Bill No. 1156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Dawson, Fiske, James, Leonard and Schmidt, who were excused.

HOUSE BILL NO. 221, by Representatives Thompson, Rosbach and Flanagan:

Authorizing county solid waste disposal districts.

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 221, and the bill passed the House by the following vote: Yeas, 84; nays, 6; not voting, 8.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Bond, Dickie, Hastings, Struthers.

Not voting: Representatives Dawson, Fiske, James, Leonard, Lux, Martinis, Schmidt, Sprague.

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

HOUSE BILL NO. 1087, by Committee on Appropriations – General Government and Representative Williams:

Providing for salmon enhancement projects.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day, February 11, 1982.)

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1087, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Dawson, Erak, Fiske, James, Leonard, Lux, Martinis, Schmidt, Tupper.

Engrossed House Bill No. 1087, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 892, by Committee on Financial Institutions and Insurance and Representatives Dawson, Granlund and Bickham:

Clarifying the laws governing underinsured motor vehicle coverage.

The bill was read the second time. On motion of Mr. Bickham, Substitute House Bill No. 892 was substituted for House Bill No. 892, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 892 was read the second time.

On motion of Mr. Armstrong, the following amendment by Representatives Armstrong and Ellis was adopted:

On page 2, line 17 after "mean" strike "direct"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 892, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Clayton.

Not voting: Representatives Dawson, Erak, Fiske, James, Leonard, Schmidt.

Engrossed Substitute House Bill No. 892, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 891, by Committee on Financial Institutions and Insurance and Representatives Dawson, Wang and Bickham:

Modifying the regulation of medicare supplemental insurance policies.

The bill was read the second time. On motion of Mr. Bickham, Substitute House Bill No. 891 was substituted for House Bill No. 891, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 891 was read the second time.

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

On page 4, after line 9 insert a new subsection as follows:

"(5) In the case of a state or federally qualified health maintenance organization, the commissioner may waive compliance with one or all provisions of this section until January 1, 1983."

On page 4, beginning on line 31 strike all of subsection (4).

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 891, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Heck, Monohon, Nelson D., Rinehart.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Engrossed Substitute House Bill No. 891, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 900, by Committee on Agriculture and Representatives Dawson, Hankins, Bickham, Smith, Winsley, Johnson and Garson (by Department of Agriculture request):

Modifying bread weight standards.

The bill was read the second time. On motion of Mr. Smith, Substitute House Bill No. 900 was substituted for House Bill No. 900, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 900 was read the second time.

On motion of Ms. Sommers, the following amendments by Representatives Sommers, Amen, Smith, Galloway and Kaiser were adopted:

On page 1, after line 7 add a new section to read as follows:

"NEW SECTION. Section 1. There is added to chapter 19.92 RCW a new section to read as follows:

No person may sell, or offer or expose for sale, any bread unless the weight of the bread is clearly marked on the package or wrap containing the bread or, for unpackaged bread, the weight of the bread is otherwise clearly indicated to the purchaser."

Remember the remaining section consecutively.

On page 1, line 1 of the title after "products;" insert "adding a new section to chapter 19.92 RCW;"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ehlers, Nelson (G) and Smith spoke in favor of passage of the bill.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Smith, I guess I'm a little confused and I wonder if you could help me? You said that the industry wanted deregulation and were tired of having government take care of the way they do things, but I notice that the principle opponents are the Washington Grocers Association, Snyder's Bakery, Gai's Bakery, Albertson's and ITT Continental. Can you explain why those people have opposed this bill?"

Mr. Smith: "Those people were opposed to the original bill and this is a substitute. They were not opposed to the deregulation."

Mr. Bickham spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 900, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bickham, Bond, Cantu, Cole, Lewis, O'Brien.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Engrossed Substitute House Bill No. 900, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 851, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying eligibility for services for the developmentally disabled.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 851, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Ehlers, Garrett, Nelson D., O'Brien.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

House Bill No. 851, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

MOTION FOR RECONSIDERATION

Mr. Patrick, having given previous notice, moved that the House now reconsider the vote by which Engrossed House Bill No. 885 passed the House.

The motion was carried.

MOTION

On motion of Mr. Hastings, the rules were suspended, and Engrossed House Bill No. 885 was returned to second reading for the purpose of amendment.

ENGROSSED HOUSE BILL NO. 885, by Representatives Patrick, O'Brien, Wilson, Burns, Prince, Grimm, Winsley, Bender, Tupper, Lux, Van Dyken, Valle, Mitchell, Nelson (D), Leonard, Kreidler, Houchen, Eng, Ellis and Wang:

Modifying cigarette taxes.

The bill was read the second time. (For previous action, see Journal, 33rd Day, February 12, 1982.)

On motion of Mr. Patrick, the following amendments by Representatives Patrick and Sommers were adopted:

On page 1, line 3 following "Section 1." insert "There is hereby added to chapter 82.24 RCW a new section to read as follows:"

On page 1, line 10 following "seventy-five" insert "thousandths"

On page 1, line 1 of the title strike all material following "and" through "sections" and insert "adding a new section to chapter 82.24 RCW"

The bill was ordered reengrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

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

Mr. O'Brien: "Representative Patrick, is it the intention that the revenue raised by House Bill No. 855 be used for cancer research through the Fred Hutchinson Cancer Research Center?"

Mr. Patrick: "Representative O'Brien, the moneys raised through the passage of Engrossed House Bill No. 885 are earmarked for cancer research and are deposited to an

account within the Department of Social and Health Services. It is expected that the Department of Social and Health Services shall contract for cancer research and community educational programs on cancer with the Fred Hutchinson Cancer Research Center in order to help meet the center's five percent federal grant match requirements. While all the moneys may not go to this center, it is the intent of the sponsors of Engrossed House Bill No. 885 that the vast majority of the funds be contracted by DSHS for program support at the Hutchinson Center as this state's support for the regional center's ongoing research and community programs."

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 885, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, Nelson D., Pruitt, Salatino.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Reengrossed House Bill No. 885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 448 was rereferred from Committee on Appropriations - General Government to Committee on Rules.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1117 was rereferred from Committee on Appropriations - General Government to Committee on Appropriations - Human Services.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1189 was rereferred from Committee on Human Services to Committee on Institutions.

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

POINT OF PERSONAL PRIVILEGE

Mr. Ehlers: "Mr. Speaker, this is the 166th day; it's 10 o'clock at night; we're going over a number of bills that were pulled out of Rules this evening. Many of these bills on the second reading calendar are bills that we have never seen before tonight and our caucus is a little bit upset that there is no cutoff resolution. It is feared that we are going to be having this type of evening session with these kinds of bills being thrown at us. We've asked, Mr. Speaker and ladies and gentlemen of the House, that we not have these evening sessions unless we have the Rules Committee meet early in the day and pull the kinds of bills we're going to have on the second reading calendar so the members of my caucus will have an opportunity to study them. We are very concerned about that, and we believe the late hour tonight is not the time to spend dealing with these matters."

POINT OF PERSONAL PRIVILEGE

Mr. Nelson (G): "Mr. Speaker, one of the reasons we are going to the seventh order of business is to permit anyone who hasn't had a chance to study these measures that are presently on the second reading calendar to do so, and prepare any amendments and to take care of all the study that's necessary the following day. Every measure that's out here on the third reading calendar has been before this body at least once and sometimes twice. There has been opportunity for every member to have looked at those; we've had a chance to caucus, and I see no reason not to continue doing what we are doing and that's to take into consideration a lot of measures that need to be passed this session. We're about to do that and I think we need to get along with the business."

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Heck.

Mr. Heck: "Representative Nelson, is it a correct interpretation of your remarks then that it is not your intention to work the second reading calendar this evening, but merely the third reading calendar? The reason I ask is that we were told by a representative of your caucus that we were going to do this entire calendar, both second and third reading, this evening."

Mr. Nelson (G): "Representative Heck, it depends on what concerns there might be on those on second reading. If there are people who wish to provide amendments to those on the second reading calendar, they are always open to do that. That would, in fact, provide the opportunity for everybody to look at the amendments that have been submitted. Right now, we have only amendments on House Bills No. 1002, 1178, 894 and 22. If members of your caucus wish to put up amendments, I think we will be very obliging. Right now, the first intention is to get down to the third reading calendar and then consider what's necessary on the second reading calendar. By the time we've gotten through those twelve or thirteen measures, I think there's ample opportunity to have everybody here consider what's on the second reading calendar and to propose amendments as necessary."

MOTION

Mr. Ehlers moved that the House adjourn until 9:30 a.m., Tuesday, February 16, 1982.

The motion was lost.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 78, by Committee on Revenue (originally sponsored by Representatives Addison, Brown, Greengo, Cantu, Hankins, Taylor, Houchen, Maxie, Wang, McGinnis and Warnke):

Modifying the senior citizens property tax exemption.

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

Representatives Addison and Brown spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Addison, I need a point of clarification here. What is the revenue impact?"

Mr. Addison: "Representative McDonald, as with most of the senior citizen legislation, it is a shift. It's a very slight shift because we find that as social security payments and other cost of living kinds of adjustments that are in various pensions, it puts senior citizens into higher and higher income levels. This bill just keeps them up with that, so approximately the same number of people who qualify under the current law will continue to qualify under this bill. It's about \$175,000 in shifts that would be shifted throughout the whole state. As a percentage of the tax base, that's almost an infinitesimal amount."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 78, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Sanders.

Not voting: Representatives Dawson, Fiske, Flanagan, James, Leonard, Schmidt, Sommers.

Engrossed Substitute House Bill No. 78, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 288, by Committee on Transportation (originally sponsored by Representatives Bender, Tilly, Pruitt, Erickson, Gruger, Burns, Wilson, Isaacson, Lux, Garrett, Maxie, Nelson (D), Kreidler, Warnke and Brekke):

Requiring approval and use of child safety restraints in vehicles.

MOTION

Mr. Nelson (G) moved that further action on Engrossed Substitute House Bill No. 288 be deferred and the bill be placed at the bottom of today's third reading calendar.

Mr. Bender spoke against the motion and Mr. Nelson (G) spoke in favor of it.

Mr. Brown demanded an electric roll call vote on the motion and the demand was sustained.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Nelson, this bill that came over from the Senate, was it read in today?"

Mr. Nelson (G): "Yes."

Mr. Ehlers: "How long is this bill that we're addressing now been on the third reading calendar? First the second reading and then the third reading calendar?"

Mr. Nelson (G): "As far as I know it's been about two weeks, Representative Ehlers. It was about the same time that I was notified by the Senate that they were looking at their Senate bill and would want us to look at what they were doing in conjunction with House Bill 288. I thought that made pretty good sense to me so we simply held it here and are waiting for the Senate to act."

Mr. Ehlers spoke against the motion, and Mr. Nelson (G) spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the motion to defer consideration of Engrossed Substitute House Bill No. 288, and the motion was lost by the following vote: Yeas, 41; nays, 51; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Chamberlain, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt, Sommers.

MOTION

Mr. Nelson (G) moved that the House immediately consider HOUSE JOINT MEMORIAL NO. 20.

Representatives Ehlers and Bender spoke against the motion, and Mr. Nelson (G) spoke in favor of it.

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

ROLL CALL

The Clerk called the roll on the motion that the House immediately consider House Joint Memorial No. 20, and the motion was carried by the following vote: Yeas, 50; nays, 42; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler,

Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt, Sommers.

HOUSE JOINT MEMORIAL NO. 20, by Representatives Lundquist, Nickell, Schmidt, Wilson, Berleen, Struthers, Barr, Fiske, Nelson (G), Greengo, James, Rosbach, Chamberlain, Smith, Dickie, Garson, Clayton, Williams, Patrick, Eberle, Addison, Mitchell, Tilly, Johnson, Nisbet, Bond, Flanagan, Amen, Winsley, Isaacson, Sprague, Barnes, Houchen, Vander Stoep, Taylor, Dawson, McDonald, Hastings, Tupper, Chandler, Prince, Padden, Ellis, Teutsch and Hankins:

Requesting the federal government settle and acquire tribal claims and rights to the fish and natural resources located in the state.

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

Representatives Lundquist, Heck and Hastings spoke in favor of the memorial, and Ms. Stratton spoke against it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Lundquist, I note that the memorial includes all resources in addition to fishing resources—all other natural resources located in the state under tribal rights and claims. I'm wondering if you have an estimate of the value of all those natural resources in addition to the fish resource, which I understand is a very costly resource?"

Mr. Lundquist: "Representative Nelson, I don't have an estimate of the resources that are involved in this treaty any more than I have an estimate of the resources that are involved in the state-owned property or the private-owned properties across the state. I don't have any idea of that; however, these items were included in the memorial because the court decisions have indicated in the last few years that they have been going in every direction. I think this is the problem with the memorial now. It's a problem that actually only the Congress can settle."

Mr. Nelson (D): "Would you expect the Congress, if they act on this memorial, to extend it to other states as well, in fairness and equity to citizens around the country?"

Mr. Lundquist: "At this point in time, Representative Nelson, I'd be very happy if the Congress would deal fairly with the citizens of the state of Washington."

Representatives Nelson (D), Warnke, Kreidler, Pruitt and Lux spoke against the memorial, and Mr. Nisbet spoke in favor of it.

Mr. Lundquist closed debate, speaking again in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 20, and the memorial passed the House by the following vote: Yeas, 61; nays, 32; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ehlers, Erak, Fancher, Flanagan, Gallagher, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, Kaiser, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Scott, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Brekke, Brown, Burns, Cole, Ellis, Eng, Galloway, Garrett, Hine, King J., King R., Kreidler, Lewis, Lux, Maxie, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Stratton, Thompson, Valle, Wang, Warnke.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

House Joint Memorial No. 20, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 288, by Committee on Transportation (originally sponsored by Representatives Bender, Tilly, Pruitt, Erickson, Gruger, Burns, Wilson, Isaacson, Lux, Garrett, Maxie, Nelson (D), Kreidler, Warnke and Brekke):

Requiring approval and use of child safety restraints in vehicles.

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

Representatives Bender and Ehlers spoke in favor of passage of the bill, and Mr. Eberle spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 288, and the bill passed the House by the following vote: Yeas, 68; nays, 24; not voting, 6.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Ehlers, Ellis, Eng, Erak, Gallagher, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bond, Cantu, Clayton, Dickie, Eberle, Fancher, Flanagan, Galloway, Hankins, Hastings, Houchen, Isaacson, McDonald, Nickell, Padden, Prince, Rosbach, Smith, Sprague, Williams.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt, Wilson.

Engrossed Substitute House Bill No. 288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 806, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Modifying the state debt limit.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 806, and the bill failed to pass the House by the following vote: Yeas, 34; nays, 59; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Cantu, Cole, Eberle, Ellis, Fancher, Galloway, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, King J., King R., McGinnis, Nelson G. A., Nisbet, O'Brien, Patrick, Prince, Rosbach, Rust, Sommers, Sprague, Struthers, Teutsch, Thompson, Tilly, Tupper, Warnke, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Dickie, Ehlers, Eng, Erak, Flanagan, Gallagher, Garrett, Garson, Grimm, Heck, Hine, Johnson, Kaiser, Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nickell, North, Owen, Padden, Pruitt, Rinehart, Salatino, Sanders, Scott, Sherman, Smith, Stratton, Taylor, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Engrossed Substitute House Bill No. 806, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Chandler, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 806 failed to pass the House.

HOUSE BILL NO. 1000, by Committee on Education and Representative Vander Stoep:

Authorizing pilot program for four day work week in schools.

The bill was read the third time.

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I believe consideration of this bill is in violation of Rule 13 of our House Rules."

SPEAKER'S RULING

The Speaker: "Representative Ehlers, your point of order is well taken."

ENGROSSED HOUSE BILL NO. 752, by Committee on Revenue and Representative Greengo:

Modifying provision on the taxation of motor carriers of freight for hire.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 752, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berlee, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Engrossed House Bill No. 752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 870, by Committee on Institutions (originally sponsored by Representatives Padden, Dawson, Stratton, Taylor, Lundquist, Johnson, Tilly and Mitchell):

Providing for confinement of juveniles in group homes.

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

Mr. Padden spoke in favor of passage of the bill, and Mr. Owen spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 870, and the bill passed the House by the following vote: Yeas, 53; nays, 39; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berlee, Bickham, Bond, Brekke, Cantu, Chamberlain, Clayton, Cole, Dickie, Eberle, Ellis, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Stratton, Taylor, Tilly, Van Dyken, Vander Stoep, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Brown, Burns, Chandler, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McDonald, Monohon, North, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Struthers, Teutsch, Thompson, Tupper, Valle, Walk, Warnke, Wilson.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt, Sprague.

Engrossed Substitute House Bill No. 870, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 996, by Committee on Education (originally sponsored by Representatives Ellis, Ehlers, Eberle, Johnson, Hastings and James):

Allowing exemption from attendance at public schools upon basis of religious or personal beliefs of person having custody of child.

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

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

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Heck.

Mr. Heck: "Representative Ellis, I notice that on page 4, section 1, at the beginning of subsection (5)(c), it indicates that parents failing to comply with the provisions of this legislation will 'be prosecuted accordingly.' I don't read any penalties set forth in this statute or any reference to any other section of the code which provides for those penalties. I wonder if you could enlighten the body with a discussion about what 'accordingly' means?"

Mr. Ellis: "Representative Heck, you will notice this is an amendment to the compulsory attendance law and for failure to comply with the statutes, the parents, according to an Attorney General's opinion in this area, are guilty of violating the compulsory attendance statute, and are subject to a \$25 a day fine for that violation. I would have to check the code to find where that it, but that's the penalty provision and we already have that AG's opinion on that subject."

Mr. Heck: "Representative Ellis, neither do I notice set forth in this proposal any enforcement mechanism, inherent to the very nature of what would be allowed by this proposal, i.e. the instruction of children in the privacy of one's own home, creates enforcement problems to be sure, and since nothing appears to be contemplated within the language, I wonder if you could enlighten the body with what your individual intent might be and how you might see this potentially very serious problem being ameliorated?"

Mr. Ellis: "Representative Heck, it's my understanding that we have the enforcement problem right now. The superintendents have asked the prosecutors to bring a lawsuit for the enforcement. They are aware of students who are not attending the public schools in violation of this. They have the Attorney General's opinion and yet there is the underlying First Amendment problem. This statute lays on the parent the obligation. I would take it that the enforcement would be in the same way that any truancy law is enforced. It if came to the attention of a neighbor, for example, that the kids were out in the field picking berries rather than being in school, or if the child was a runaway or something like that, or it came to the attention of the local superintendent that there were children out on the street or someplace else, they would complain to the local prosecutor. Mr. Redmond, I think, is prepared to go to work under this statute. He's helped us put the thing together."

Representatives Heck, Galloway and Valle spoke against the passage of the bill, and Mr. Ellis spoke again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 996, and the bill failed to pass the House by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Bond, Cantu, Clayton, Eberle, Ehlers, Fancher, Flanagan, Greengo, Hastings, Hine, Houchen, Johnson, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dickie, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Isaacson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Maxie, Monohon, Nelson D., Owen, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Williams, Winsley.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Engrossed Substitute House Bill No. 996, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Ellis, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Substitute House Bill No. 996 failed to pass the House.

SENATE AMENDMENTS TO HOUSE BILL

February 12, 1982

Mr. Speaker:

The Senate has passed THIRD SUBSTITUTE HOUSE BILL NO. 179 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. The legislature recognizes that child abuse and neglect is a threat to the family unit and imposes major expenses on society. The legislature further declares that there is a need to assist private and public agencies in identifying and establishing community based educational and service programs for the prevention of child abuse and neglect. It is the intent of the legislature that an increase in prevention programs will help reduce the breakdown in families and thus reduce the need for state intervention and state expense. It is further the intent of the legislature that prevention of child abuse and child neglect programs are partnerships between communities, citizens, and the state.

NEW SECTION. Sec. 2. (1) There is established in the executive office of the governor a council on child abuse and neglect subject to the jurisdiction of the governor. As used in this chapter, 'council' means the council on child abuse and neglect.

(2) The council shall be composed of the chairperson and ten other members as follows:

(a) The chairperson and four other members shall be appointed by the governor and shall be selected for their interest and expertise in the prevention of child abuse. A minimum of four designees by the governor shall not be affiliated with governmental agencies. A minimum of two of the designees shall reside east of the Cascade mountain range. Members appointed by the governor shall serve for two-year terms, except that the chairperson and two other members designated by the governor shall initially serve for three years. Vacancies shall be filled for one unexpired term by appointment in the same manner as the original appointments were made.

(b) The secretary of social and health services or the secretary's designee and the superintendent of public instruction or the superintendent's designee shall serve as voting members of the council.

(c) In addition to the members of the council, four members of the legislature shall serve as nonvoting, ex officio members of the council, one from each political caucus of the house of representatives to be appointed by the speaker of the house of representatives and one from each political caucus of the senate to be appointed by the president of the senate.

NEW SECTION. Sec. 3. Council members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended. Attendance at meetings of the council shall be deemed performance by a member of the duties of a member's employment.

NEW SECTION. Sec. 4. The governor may employ an executive director who shall be exempt from the provisions of chapter 41.06 RCW, and such other staff as are necessary to carry out the purposes of this chapter. The salary of the executive director shall be fixed by the governor pursuant to RCW 43.03.040.

NEW SECTION. Sec. 5. To carry out the purposes of this chapter, the council on child abuse and neglect may:

(1) Contract with public or private nonprofit organizations, agencies, schools, or with qualified individuals for the establishment of community-based educational and service programs designed to reduce the occurrence of child abuse and neglect. Each contract entered into by the council shall contain a provision for the evaluation of services provided under the contract. Contracts for services to prevent child abuse and child neglect shall be awarded as demonstration projects with continuation based upon goal attainment. Contracts for services to prevent child abuse and child neglect shall be awarded on the basis of probability of success based in part upon sound research data.

(2) Facilitate the exchange of information between groups concerned with families and children.

(3) Consult with applicable state agencies, commissions, and boards to help determine the probable effectiveness, fiscal soundness, and need for proposed educational and service programs for the prevention of child abuse and neglect.

(4) Establish fee schedules to provide for the recipients of services to reimburse the state general fund for the cost of services received.

(5) Adopt its own bylaws.

(6) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 6. Programs contracted for under this chapter are intended to provide primary child abuse and neglect prevention services. Such programs may include, but are not limited to:

(1) Community-based educational programs on prenatal care, perinatal bonding, child development, basic child care, care of children with special needs, and coping with family stress; and

(2) Community-based programs relating to crisis care, aid to parents, child-abuse counseling, support groups for abusive or potentially abusive parents and their children, and early identification of families where the potential for child abuse and neglect exists.

The council shall develop policies to determine whether programs will be demonstration or will receive continuous funding. Nothing in this chapter requires continued funding by the state.

NEW SECTION. Sec. 7. In awarding contracts under section 6 of this act, consideration shall be given to factors such as need, diversity of geographic locations, coordination with or enhancement of existing services, and the extensive use of volunteers in the program. Further consideration shall be given to the extent to which contract proposals are based on prior research that indicates a probability of goal achievement.

NEW SECTION. Sec. 8. Twenty-five percent of the funding for programs under this chapter shall be provided by the organization administering the program. Contributions of materials, supplies, or physical facilities may be considered as all or part of the funding provided by the organization.

NEW SECTION. Sec. 9. The council shall report before the regular session of the legislature in 1983 to the governor and to the legislature concerning the council's activities and the effectiveness of those activities in fostering the prevention of child abuse and neglect.

NEW SECTION. Sec. 10. The council may accept contributions, grants, or gifts in cash or otherwise from persons, associations, or corporations. All moneys received by the council or any employee thereof from contributions, grants, or gifts and not through appropriation by the legislature shall be deposited in a depository approved by the state treasurer. Disbursements of such funds shall be on the authorization of the council or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control, such funds shall be subject in all respects to chapter 43.88 RCW, but no appropriation shall be required to permit expenditure of such funds.

NEW SECTION. Sec. 11. This chapter shall expire June 30, 1984.

Sec. 12. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 56, Laws of 1977 ex. sess. and RCW 36.18.010 are each amended to read as follows:

County auditors shall collect the following fees for their official services: For filing each chattel mortgage, renewal affidavit, or conditional sale contract, and entering same as required by law, two dollars; for each assignment, modification, transfer, correction, or release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars;

For filing a release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars: PROVIDED, That said fee shall be paid at the time of filing the chattel mortgage, conditional sale contract, or miscellaneous instrument, and no charge shall be made when the release of any of the above instruments is filed;

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), three dollars; for each additional legal size page, one dollar; for indexing each name over two, fifty cents;

For marginal release of mortgage or lien, one dollar;

For preparing and certifying copies, for the first legal size page, two dollars; for each additional legal size page, one dollar;

For preparing noncertified copies, for each legal size page, fifty cents;

For administering an oath or taking an affidavit, with or without seal, two dollars;

For issuing marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, which five-dollar fee shall expire June 30, 1984;

For searching records per hour, four dollars;

For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

For filing of miscellaneous records, not listed above, three dollars;

For making marginal notations on original recording when blanket assignment or release of instrument is filed for record, each notation, fifty cents;

For recording of miscellaneous records, not listed above, for first legal size page, three dollars; for each additional legal size page, one dollar.

NEW SECTION. Sec. 13. Sections 1 through 11 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 14. There is appropriated from the general fund to the office of the governor for the fiscal year ending June 30, 1983, the sum of one hundred fifty thousand dollars, and for the fiscal year ending June 30, 1984, the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 15. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "neglect;" strike the remainder of the title and insert "amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 56, Laws of 1977 ex. sess. and RCW 36.18.010; adding a new chapter to Title 43 RCW; making appropriations; and providing an expiration date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Nisbet moved that the House do concur in the Senate amendments to Third Substitute House Bill No. 179.

Representatives Nisbet and Becker spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Third Substitute House Bill No. 179 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Third Substitute House Bill No. 179 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Vander Stoep.

Not voting: Representatives Dawson, Fiske, James, Leonard, Schmidt.

Third Substitute House Bill No. 179 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, February 16, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 16, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

MESSAGE FROM THE SENATE

February 15, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3617,
 SUBSTITUTE SENATE BILL NO. 3913,
 ENGROSSED SENATE BILL NO. 4425,
 SENATE BILL NO. 4517,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4545,
 SUBSTITUTE SENATE BILL NO. 4546,
 ENGROSSED SENATE BILL NO. 4547,
 ENGROSSED SENATE BILL NO. 4551,
 ENGROSSED SENATE BILL NO. 4554,
 SENATE BILL NO. 4557,
 ENGROSSED SENATE BILL NO. 4559,
 SENATE BILL NO. 4571,
 SUBSTITUTE SENATE BILL NO. 4697,
 SENATE BILL NO. 4713,
 ENGROSSED SENATE BILL NO. 4743,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1192, by Committee on Ethics, Law and Justice and Representative Valle:

AN ACT Relating to court rules; amending section 1, chapter 118, Laws of 1925 ex. sess. and RCW 2.04-.190; amending section 3, chapter 118, Laws of 1925 ex. sess. and RCW 2.04.210; amending section 13, page 344, Laws of 1890 and RCW 2.08.230; amending section 8, chapter 299, Laws of 1961 and RCW 3.30.080; and amending section 73, chapter 299, Laws of 1961 and RCW 3.50.240.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1193, by Representative Garrett:

AN ACT Relating to exempt property; amending section 253, page 178, Laws of 1854 as last amended by section 1, chapter 65, Laws of 1979 ex. sess. and RCW 6.16.020; and declaring an emergency.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1194, by Representatives Lux, Brekke, Burns, Eng and Nelson (D):

AN ACT Relating to revenue and taxation; establishing the tax reform act of 1982; and providing an effective date.

To Committee on Revenue

HOUSE JOINT RESOLUTION NO. 26, by Representatives Lux, Brekke, Burns, Eng and Nelson (D):

Providing for a Constitutional amendment for authorization of a net income tax and revision of the tax structure.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 3617, by Committee on Education (originally sponsored by Senator Metcalf):

Implementing law relating to use of associated student body funds.

To Committee on Education

SUBSTITUTE SENATE BILL NO. 3913, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Williams - by Attorney General request):

Authorizing presuit depositions and interrogatories in the investigation of unfair business practices.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4425, by Senators Wojahn, Haley, Gaspard and Bottiger:

Revising the requirement for certain port district elections on the issue of increasing the number of commissioners to five.

To Committee on Local Government

SENATE BILL NO. 4517, by Senators Talmadge and Hemstad:

Modifying provisions relating to the satisfaction of mortgages.

To Committee on Ethics, Law and Justice

ENGROSSED SUBSTITUTE SENATE BILL NO. 4545, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Gaspard, Benitz, Talley, Quigg and Gallagher):

Exempting from the MVET vehicles used exclusively for elderly or handicapped ride-sharing.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 4546, by Committee on Commerce and Labor (originally sponsored by Senators Newhouse, Charnley and Benitz):

Repealing certain provisions relating to financial interests in liquor businesses.

To Committee on Labor and Economic Development

ENGROSSED SENATE BILL NO. 4547, by Senators von Reichbauer, Vognild and Quigg:

Permitting horseless carriage plates to be issued to pre 1941 vehicles.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4551, by Senators von Reichbauer, Hansen and Patterson:

Revising laws relating to the state commission on equipment.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4554, by Senator Pullen:

Authorizing modification of the requirements of the public disclosure act.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4557, by Senators Deccio and Hughes:

Modifying the landlords' rights and responsibilities when a tenancy is abandoned.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4559, by Senators Lee, Rasmussen and Metcalf (by Department of General Administration request):

Modifying the state forms management program.

To Committee on State Government

SENATE BILL NO. 4571, by Senators Bluechel, Moore and Talley:

Revising procedures for sale of property by port districts.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 4697, by Committee on State Government (originally sponsored by Senators Quigg, Bluechel, Hemstad, Deccio, Craswell, Metcalf, McCaslin, Patterson, Talmadge, Moore, Woody, McDermott, Jones, Gallagher, von Reichbauer, Benitz, Hayner, Zimmerman, Hurley, Gould, Fuller, Lee, Kiskaddon, Goltz, Wojahn,

Williams, Vognild, Talley, Rasmussen, Peterson, Lysen, Hansen, Gaspard, Charnley, Bottiger, Bauer and Sellar):

Authorizing payroll deductions for IRA's.

To Committee on State Government

SENATE BILL NO. 4713, by Senators Patterson, Hansen, Zimmerman and Bottiger:

Adjusting the distribution formula for the motor vehicle fund.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4743, by Senator Lee:

Providing for the investment of surplus public funds.

To Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda were considered first reading under the fourth order of business and were referred to the committees designated.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, February 17, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 17, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

MESSAGE FROM THE SENATE

February 16, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3425,
 SUBSTITUTE SENATE BILL NO. 4201,
 ENGROSSED SENATE BILL NO. 4489,
 SUBSTITUTE SENATE BILL NO. 4494,
 SUBSTITUTE SENATE BILL NO. 4501,
 SENATE BILL NO. 4506,
 SENATE BILL NO. 4522,
 ENGROSSED SENATE BILL NO. 4549,
 ENGROSSED SENATE BILL NO. 4558,
 SUBSTITUTE SENATE BILL NO. 4561,
 SUBSTITUTE SENATE BILL NO. 4566,
 ENGROSSED SENATE BILL NO. 4569,
 SENATE BILL NO. 4570,
 SENATE BILL NO. 4599,
 SENATE BILL NO. 4602,
 SENATE BILL NO. 4607,
 SENATE BILL NO. 4619,
 SENATE BILL NO. 4626,
 ENGROSSED SENATE BILL NO. 4630,
 SENATE BILL NO. 4644,
 SENATE BILL NO. 4647,
 SUBSTITUTE SENATE BILL NO. 4648,
 SENATE BILL NO. 4660,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4675,
 SENATE BILL NO. 4680,
 ENGROSSED SENATE BILL NO. 4681,
 SUBSTITUTE SENATE BILL NO. 4683,
 SUBSTITUTE SENATE BILL NO. 4684,
 ENGROSSED SENATE BILL NO. 4690,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4692,
 ENGROSSED SENATE BILL NO. 4701,
 SENATE BILL NO. 4718,
 SUBSTITUTE SENATE BILL NO. 4826,
 ENGROSSED SENATE BILL NO. 4831,
 SENATE BILL NO. 4952,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1195, by Representatives Eng, Dawson, Bender, Burns, Lux, Owen, Sanders, Sherman, Walk, Monohon and Erak:

AN ACT Relating to residential loans secured by real estate; adding a new chapter to Title 19 RCW; and declaring an emergency.

To Committee on Financial Institutions and Insurance

HOUSE BILL NO. 1196, by Representatives Maxie, Sprague, O'Brien, Johnson, Rinehart, Lewis, Nelson (D), Rust, Wang, Eng, Garson and Lux:

AN ACT Relating to holidays; amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 77, Laws of 1979 and RCW 1.16.050; amending section 13, chapter 283, Laws of 1969 ex. sess. as last amended by section 2, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 28A.02.061; and amending section 12, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.127.

To Committee on State Government

HOUSE BILL NO. 1197, by Committee on Labor and Economic Development and Representatives Sanders, Patrick, Brown, Erak, Eng, Martinis, King (R), Barrett, Kaiser, Nelson (G), Isaacson, Barnes, Chandler and Monohon:

AN ACT Relating to housing; amending section 2, chapter 300, Laws of 1981 and RCW 39.84.020; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1198, by Representatives Grimm, Kreidler, Walk and Owen:

AN ACT Relating to carnival rides and devices; and adding a new section to Title 19 RCW.

To Committee on Financial Institutions and Insurance

SENATE BILL NO. 3425, by Senator Moore (by Department of Social and Health Services request):

Defining the milling of uranium and thorium.

To Committee on Human Services

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating the valuation of insurance and nonforfeiture of life insurance.

To Committee on Financial Institutions and Insurance

ENGROSSED SENATE BILL NO. 4489, by Senators Clarke, Newhouse and Wojahn (by Judicial Council request):

Revising appellate procedures from city police courts.

To Committee on Ethics, Law and Justice

SUBSTITUTE SENATE BILL NO. 4494, by Committee on Judiciary (originally sponsored by Senators Clarke, Wojahn and Newhouse - by Judicial Council request):

Establishing a uniform procedure for issuing and executing warrants for administrative inspections.

To Committee on Ethics, Law and Justice

SUBSTITUTE SENATE BILL NO. 4501, by Committee on Commerce and Labor (originally sponsored by Senators Guess, Hansen and Quigg):

Modifying requirements for posting of prevailing wage statements by certain contractors.

To Committee on Labor and Economic Development

SENATE BILL NO. 4506, by Senators Clarke and Rasmussen (by State Treasurer request):

Authorizing the state treasurer to alter certificate of deposit allocation.

To Committee on Ways and Means

SENATE BILL NO. 4522, by Senators Gallagher, Conner and Fuller:

Modifying provisions relating to salmon fishing.

To Committee on Natural Resources and Environmental Affairs

ENGROSSED SENATE BILL NO. 4549, by Senators von Reichbauer, Talley and Guess (by Department of Transportation request):

Amending the transportation budget.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4558, by Senators Quigg, Vognild and Newhouse:

Modifying industrial insurance coverage for owner-operators of trucks.

To Committee on Financial Institutions and Insurance

SUBSTITUTE SENATE BILL NO. 4561, by Committee on Commerce and Labor (originally sponsored by Senators Deccio and Moore - by Department of Licensing request):

Revising authorized limits for certain professional and other fees.

To Committee on Labor and Economic Development

SUBSTITUTE SENATE BILL NO. 4566, by Committee on Agriculture (originally sponsored by Senators Newhouse, Hansen, Benitz and Patterson - by State Auditor request):

Modifying requirements for audits of agriculture marketing funds.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 4569, by Senators Bluechel, Bauer, Bottiger and Newhouse:

Implementing the law relating to investments as assets of domestic insurers.

To Committee on Financial Institutions and Insurance

SENATE BILL NO. 4570, by Senators Pullen and Ridder:

Increasing permissible limits for contracts between municipalities and their officers.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4599, by Senators Zimmerman and Bauer:

Modifying minimum mosquito control districts tax.

To Committee on Local Government

SENATE BILL NO. 4602, by Senators Lee and Talmadge:

Modifying provisions relating to street lighting systems.

To Committee on Local Government

SENATE BILL NO. 4607, by Senator Scott:

Limiting the cogeneration tax credit.

To Committee on Revenue

SENATE BILL NO. 4619, by Senators Metcalf, Conner and Gallagher:

Requiring dissemination to doctors information on certain health problems of veterans.

To Committee on Human Services

SENATE BILL NO. 4626, by Senator Lee (by Governor Spellman request):

Providing for review of certain agencies under the Sunset Act.

To Committee on State Government

ENGROSSED SENATE BILL NO. 4630, by Senators Quigg and Vognild (by Department of Labor and Industries request):

Revising elevator laws.

To Committee on Labor and Economic Development

SENATE BILL NO. 4647, by Senator Lee:

Enlarging scope of losses covered by permanent insurance fund of first class school district.

To Committee on Education

SENATE BILL NO. 4644, by Senators Scott and Shinpoch:

Establishing the state investment board commingled trust fund.

To Committee on Ways and Means

SUBSTITUTE SENATE BILL NO. 4648, by Committee on Education (originally sponsored by Senators Lee and Bauer):

Allowing school districts and educational districts to be self-insurers under industrial insurance provisions.

To Committee on Education

SENATE BILL NO. 4660, by Senators Lee, Shinpoch, Deccio and Gaspard (by Joint Committee on Administrative Rules request):

Revising procedures for administrative rule-making notices and statements of purpose.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing the law relating to state apportionment for pupil transportation.

To Committee on Education

SENATE BILL NO. 4680, by Senators Hemstad and Fuller:

Requiring the sheriff's civil service commission to schedule hearings and issue written opinions within certain time periods.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 4681, by Senators Zimmerman, Charnley, Bluechel, Deccio, Hemstad and Guess:

Appropriating funds to the department of natural resources.

To Committee on Appropriations - General Government

SUBSTITUTE SENATE BILL NO. 4683, by Committee on Constitutions and Elections (originally sponsored by Senators Hemstad, Talmadge, Gould, Bluechel, Shinpoch, Zimmerman and Charnley):

Authorizing exemption from public disclosure for files listing names of users of library materials.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 4684, by Committee on Agriculture (originally sponsored by Senators Newhouse, Benitz, Zimmerman and Hansen - by Department of Agriculture request):

Authorizing the director of agriculture to take emergency measures against plant pests and diseases.

To Committee on Agriculture

ENGROSSED SENATE BILL NO. 4690, by Senators von Reichbauer, Guess and Hansen:

Recognizing current practices in county road administration.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 4692, by Committee on Transportation (originally sponsored by Senators Gallagher and Vognild):

Implementing a program of motorcycle operator training and safety education.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4701, by Senators Sellar and Ridder:

Requiring health maintenance organizations to contribute to a reserve fund to cover insolvency.

To Committee on Financial Institutions and Insurance

SENATE BILL NO. 4718, by Senators Moore, Haley and Metcalf:

Revising laws regulating veterinarians.

To Committee on Labor and Economic Development

SUBSTITUTE SENATE BILL NO. 4826, by Committee on Transportation (originally sponsored by Senators Patterson, Gallaghan, Peterson and Hansen):

Modifying provisions relating to lights on law enforcement vehicles.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4831, by Senators Jones, Bottiger, Vognild, Bauer, Quigg and Sellar:

Designating shorelines of state-wide economic significance.

To Committee on Labor and Economic Development

SENATE BILL NO. 4952, by Senator von Reichbauer:

Authorizing a metropolitan municipal corporation to charter an electric streetcar on rails operating within a city.

To Committee on Transportation

MOTION

On motion of Mr. Hastings, the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 16, 1982

HOUSE BILL NO. 458, Prime Sponsor: Representative Monohon, establishing commercial salmon net fishing areas. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Dawson, Erak, Garson, McDonald, Mitchell, Nickell, Owen, Wilson.

Not signing report: Representatives Lundquist, Martinis, Valle.

Not attending: Representatives Barr, Rinehart, Stratton, Thompson, Williams.

February 16, 1982

HOUSE BILL NO. 1158, Prime Sponsor: Committee on Appropriations - Human Services, authorizing voluntary contributions to offset the cost of care provided to publicly supported nursing home patients. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Not attending: Representative Houchen.

February 16, 1982

HOUSE BILL NO. 1187, Prime Sponsor: Committee on Financial Institutions and Insurance, clarifying the rights to joint tenant accounts with right of survivorship. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Dickie, Eng, King (R), Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Not attending: Representatives Bond, McGinnis.

February 16, 1982

SUBSTITUTE SENATE BILL NO. 3679, Prime Sponsor: Committee on Financial Institutions and Insurance, permitting savings banks to pay interest and dividends from their guarantee funds under certain conditions. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Dickie, Eng, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Not attending: Representatives Bond, King (R), McGinnis.

February 16, 1982

ENGROSSED SENATE BILL NO. 4313, Prime Sponsor: Senator Fuller, authorizing increases in the compensation paid members of the youth development and conservation corps. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Dawson, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Valle, Wilson.

Not attending: Representatives Barr, Rinehart, Stratton, Thompson, Williams.

February 16, 1982

ENGROSSED SENATE BILL NO. 4464, Prime Sponsor: Senator Gallagher, modifying provisions relating to crab fishing. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Dawson, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Valle, Wilson.

Not attending: Representatives Barr, Rinehart, Stratton, Thompson, Williams.

February 16, 1982

SENATE BILL NO. 4468, Prime Sponsor: Senator Scott, revising laws concerning authorized deductions of retirement pay. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

February 16, 1982

SUBSTITUTE SENATE BILL NO. 4469, Prime Sponsor: Committee on Transportation, advancing construction of interstate highways. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Bender, Cantu, Chamberlain, Eberle, Gallagher, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Smith, Sprague.

Voting nay: Representatives Martinis, Ranking Minority Member; Burns, Erak, Garrett, Owen, Schmidt, Sherman.

Not attending: Representative Walk.

February 16, 1982

SENATE BILL NO. 4488, Prime Sponsor: Senator Zimmerman, revising payment procedures of assessments for local improvements. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Galloway, Granlund, Hastings, Rust, Sanders.

Not attending: Representatives Bond, Brown. †

February 16, 1982

SENATE BILL NO. 4635, Prime Sponsor: Senator Bluechel, revising laws relating to LEOFF. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

February 16, 1982

SENATE BILL NO. 4636, Prime Sponsor, Senator Bluechel, revising laws relating to correction of errors made under retirement systems. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

February 16, 1982

ENGROSSED SENATE BILL NO. 4638, Prime Sponsor: Senator Scott, providing for lump sum payments of retirement benefits. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, Maxie, McGinnis, Monohon, Rosbach.

Voting nay: Representative King (J).

Not attending: Representative Fiske, Vice Chairman.

February 16, 1982

ENGROSSED SENATE BILL NO. 4640, Prime Sponsor: Senator Scott, revising laws relating to retirement from public service. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Fiske, Vice Chairman.

MOTION

On motion of Mr. Hastings, the bills listed on today's agenda under the fifth order of business, Reports of Standing Committees, were passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Barnes, the House adjourned until 9:30 a.m., Thursday, February 18, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 18, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Fiske, Salatino, Sommers and Struthers, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Todd Curtis and John Grengo. Prayer was offered by The Reverend Robert Keller of the Good Shepherd Lutheran Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

February 17, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 385,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

THIRD SUBSTITUTE HOUSE BILL NO. 179.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1199, by Committee on Revenue and Representatives Tilly and Grengo:

AN ACT Relating to excise taxes; amending section 49, chapter 37, Laws of 1980 as last amended by section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; amending section 76, chapter 37, Laws of 1980 as amended by section 4, chapter 86, Laws of 1980 and RCW 82.12.0278; providing an effective date; and declaring an emergency.

To Committee on Revenue.

REPORTS OF STANDING COMMITTEES

February 16, 1982

HOUSE BILL NO. 977, Prime Sponsor: Representative King (J), enacting the business and industrial development corporations act. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Cole, Garrett, Hankins, Lux, Monohon.

Not attending: Representatives Patrick, Vice Chairman; Brown, Clayton, Eberle, Flanagan, Smith.

Passed to Committee on Rules for second reading.

February 16, 1982

HOUSE BILL NO. 1149, Prime Sponsor: Representative Bond, modifying the state fire-works act. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Cole, Garrett, Hankins, Lux, Monohon, Smith.

Not attending: Representatives Patrick, Vice Chairman; Brown, Clayton, Eberle, Flanagan.

Passed to Committee on Rules for second reading.

February 17, 1982

SENATE BILL NO. 3495, Prime Sponsor: Senator Wilson, extending validity of certificates of emergency medical technicians. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Houchen, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang, Winsley.

Not attending: Representatives Fiske, Houchen, King (J).

Passed to Committee on Rules for second reading.

February 17, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 3549, Prime Sponsor: Committee on Transportation, impounding vehicles driven by unlicensed drivers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sprague, Walk.

Voting nay: Representative Smith.

Not signing report: Representatives Eberle, Sherman.

Not attending: Representatives Lundquist, Martinis.

Passed to Committee on Rules for second reading.

February 17, 1982

SUBSTITUTE SENATE BILL NO. 3927, Prime Sponsor: Committee on Transportation, funding installation of railroad crossing protective devices. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, line 25 strike "commission" and insert "committee"

On page 7, line 18 strike "1981" and insert "1982"

Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Martinis, Ranking Minority Member; Lundquist.

Passed to Committee on Rules for second reading.

SECOND READING

MOTION

On motion of Mr. Nelson (G), SUBSTITUTE HOUSE BILL NO. 858 was rereferred to Committee on Rules.

HOUSE BILL NO. 1053, by Committee on Energy and Utilities and Representative Barnes:

Modifying requirements on the procurement of materials, equipment, supplies and work by joint operating agencies contracting, improving or operating electrical facilities.

The bill was read the second time. On motion of Mr. Amen, Substitute House Bill No. 1053 was substituted for House Bill No. 1053, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1053 was read the second time.

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1053 was deferred, and the bill was ordered placed on the second reading calendar following House Joint Memorial No. 22.

HOUSE BILL NO. 859, by Representatives Barnes, Nelson (D), Vander Stoep, Hine, Tupper, Winsley and Barr:

Setting time limits for approval of certain permits under the environmental coordination procedures act.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 859, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Chandler, Fiske, Salatino, Sommers, Struthers.

House Bill No. 859, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1006, by Committee on Local Government and Representatives Sanders, King (R), Barrett, Owen, Chamberlain, Scott, Leonard, Kreidler, Isaacson, Monohon, Berleen, James, Lewis and Eberle:

Revising law on compensation for taking of property by governments.

The bill was read the second time. On motion of Mr. Lundquist, Substitute House Bill No. 1006 was substituted for House Bill No. 1006, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1006 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lundquist, Hine, King (R) and Sanders spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Hine yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Hine, I see in your book, and I don't know whether it addresses the new bill or not, that the planning director of the City of Redmond has opposed one of the bills. Also the issue of theaters showing pornographic films has been rather a key issue in the area of Redmond and Renton. I wonder how this bill would address that issue?"

Ms. Hine: "Representative Teutsch, the planning director testified to the previous bill; she has not seen this version. I'm not suggesting local governments are going to be jumping up and down with glee at this, but I do suggest that it's much improved and something, I think, they can live with. The issue of the theaters did come up in our committee discussion. The bill has within it a disclaimer that anyone who is trying to collect under this act because of theaters, massage parlors, and a list of those types of businesses, that they may not. It specifically excludes them from the intent of being able to collect damages under this act."

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard,

Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, North.

Not voting: Representatives Barrett, Fiske, Salatino, Sommers, Struthers.

Substitute House Bill No. 1006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1002, by Representatives McCormick, Wilson, Martinis and Erak:

Extending the annual license fee on the use of natural gas and propane in motor vehicles.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 8 after "fuels" strike all the material down to and including "~~1983~~")" on line 9 and insert "until July 1, (~~1983~~) 1985"

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

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. McCormick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1002, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Sprague.

Not voting: Representatives Barrett, Fiske, Salatino, Sommers, Struthers.

Engrossed House Bill No. 1002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 436, by Representatives North, Clayton, O'Brien and Garrett:

Establishing the state auctioneers commission.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 436 was substituted for House Bill No. 436, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 436 was read the second time.

On motion of Mr. Eberle, the following amendments by Representatives Eberle, Clayton and North were adopted:

On page 1, beginning on line 16 after "applicant" strike everything through and including "and" on line 17

On page 1, line 20 strike "examination"

On page 5, beginning on line 30 after "(2)" strike everything through and including the period on line 33.

On page 6, beginning on line 6 strike all of subsections (4) and (5).

Mr. Lux moved adoption of the following amendments:

On page 4, after line 34 insert the following:

"(8) 'Qualified public depository' means a depository defined by RCW 39.58.010, a credit union as governed by chapter 31.12 RCW, a mutual savings bank as governed by Title 32 RCW, a savings and loan association as governed by Title 33 RCW, or a federal credit union or a federal savings and loan association organized, operated, and governed by any act of Congress."

On page 7, line 11, after "bond" insert "or proof of the establishment of a trust account as"

On page 7, beginning on line 25, strike "in the form of a bond"

On page 7, line 27, after "bond" insert "or trust account"

On page 7, line 27, after "employer auctioneer" insert "under section 10 of this act"

On page 7, beginning on line 35, strike all of section 10 and insert the following:

"NEW SECTION, Sec. 10. (1) An auctioneer's license shall not be issued to any person, partnership, association, or corporation until the applicant has filed with the department an approved bond or has established a trust account in lieu of the bond, as required under this section.

(2) Each applicant for an auctioneer's license shall obtain a surety bond issued by a surety company authorized to do business in Washington or establish and maintain a trust account with a qualified public depository located in the state of Washington. Each trust account shall be managed by a trustee approved by the director. The bond or the trust account shall be at least five thousand dollars. The director may, by rule or order, establish procedures for the initiation, operation, forfeiture, or termination of any bond or trust account required under this section, including rules to ensure that the bond or trust account remains in effect for one year after expiration, revocation, or suspension of the auctioneer's license.

All bonds shall be subject to the condition that the licensee comply with this chapter and the law of the state. Each bond, or proof of the establishment of the required trust account, shall be filed with and retained by the department.

(3) The bond or trust account shall be in the name of the state of Washington. It shall be for the benefit of the state and any person injured by the auctioneer's violation of this chapter or by the auctioneer's breach of any obligation arising from auction business in this state. The state may bring an action against the bond or trust account to recover penalties. The state or an injured person may bring an action against the bond or trust account for damages to the injured person. The liability of the surety or trustee shall be only for actual damages and shall not exceed the amount of the bond or trust account."

Representatives Lux and Sanders spoke in favor of the amendments, and they were adopted.

POINT OF INQUIRY

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

Mr. King (R): "Representative Sanders, before we move this bill out of the possibility of amendment, I would like to know if a person would have to be a licensed auctioneer in order to put on a small fund raiser, such as is done quite often for churches, youth groups and so on?"

Mr. Sanders: "No, they are not required to be licensed. This bill explicitly excludes charitable organizations like YMCA's, 4-H clubs, and young farm groups from having to comply with this bill."

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. North spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. North yielded to question by Mr. Addison.

Mr. Addison: "Representative North, I was wondering if you could share with the body the number of instances in the state where people have been hurt by auctioneers and how this bill would solve those problems?"

Ms. North: "Representative Addison, I can't really give you the number. I might tell you of some instances where people have bid and acquired things through auction but really don't have any titles to them and there has been a cloud on this acquisition of these items. Another way the people have been hurt, I might say, is that unscrupulous auctioneers have possibly held auctions, collected the sales tax and made off with the sales tax, and it has never come into the coffers of this state. This would have some hold on a licensed auctioneer."

Mr. Addison spoke against passage of the bill, and Mr. Clayton spoke in favor of it.

POINT OF INQUIRY

Mr. Clayton yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Clayton, I notice that out of sixteen members on the committee, only nine voted for it and the question comes up—I sat on that committee for six years when it was called the Commerce Committee—who asked for the bill? Were there people in who testified that had been hurt by the lack of having licensed auctioneers, or was it the auctioneers who were asking that their industry be licensed?"

Mr. Clayton: "The auctioneers came in and asked for this bill. They contacted Representative North and myself. I have two of the largest auctioneering groups in the state in my district and they asked for this regulation because sometimes out-of-state auctioneers come in and they don't register. They sell equipment and move back out. The people here wanted some protection, and they would like to have this so there would be some control of the auctioneering business in the state."

Representatives Greengo, Williams and James spoke against passage of the bill, and Representatives O'Brien, Lux, Clayton, Smith, Armstrong and Warnke spoke in favor of it.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 436, and the bill passed the House by the following vote: Yeas, 61; nays, 28; not voting, 9.

Voting yea: Representatives Armstrong, Barr, Becker, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Sanders, Scott, Smith, Stratton, Thompson, Tilly, Tupper, Valle, Vander Stoep, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barnes, Berleen, Bond, Cantu, Dawson, Ellis, Garson, Greengo, Grimm, Hastings, Houchen, James, Kreidler, Leonard, McDonald, McGinnis, Owen, Padden, Schmidt, Sherman, Sprague, Taylor, Van Dyken, Walk, Wang, Williams.

Not voting: Representatives Barrett, Bender, Fiske, Prince, Rosbach, Salatino, Sommers, Struthers, Teutsch.

Engrossed Substitute House Bill No. 436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 887, by Committee on Ethics, Law and Justice and Representatives Ellis and Wang:

Enlarging class of civil actions which may be subject to mandatory arbitration.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 887 was substituted for House Bill No. 887, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 887 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 887, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Fiske, Salatino, Sommers, Struthers.

Substitute House Bill No. 887, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1178, by Committee on Local Government and Representative Isaacson:

Restricting the use of electrical inspection fees of cities and towns.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 33rd Day, February 12, 1982.)

Mr. Isaacson moved adoption of the committee amendment to page 1, line 18.

Representatives Isaacson and Berleen spoke against adoption of the committee amendment, and Representatives Van Dyken and Garrett spoke in favor of it.

The committee amendment was adopted.

On motion of Mr. Isaacson, the committee amendment to page 1, line 19 was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 926, by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen:

Modifying procedures of the human rights commission.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 926 was substituted for House Bill No. 926, and the substitute bill was placed on the calendar for second reading.

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 926 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 1007.

Representative Fiske appeared at the bar of the House.

HOUSE BILL NO. 1130, by Representatives Nickell, Becker, Martinis, Vander Stoep, Patrick, Clayton and Nelson (G):

Funding the uniform crime reports program of the sheriffs and police chiefs association.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1130 was substituted for House Bill No. 1130, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1130 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1130, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Salatino, Sommers, Struthers.

Substitute House Bill No. 1130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Mr. Fiske: "David Fiske is a ten-year old boy (he'll be eleven in few days) who has really never been sick a day in his life until about ten days ago. Since then he has been stricken with a very rare cancer disease. For those of you who know him, and I know a lot of you do, he's a one-in-a-million boy, and, unfortunately, he has a one-in-a-million kind of cancer. Since last Friday, he has become paralyzed from the waist down and he's had his spine operated on, a tumor removed and had an awful lot of bad things happen to him, but he's never complained except about one thing. He's mad at his father because he's not down in Olympia. He saw the

news Monday night and he was pretty upset when he knew I wasn't here, so that's why I'm here.

"David and I want to thank all of my very good friends on this side of the aisle who have done so much, and all of my very good friends on that side of the aisle who have done so much, too, and from the Senate and the staff, the churches back home that are praying for David. For those of you who wonder whether prayers and support can do anything, I'd like to remind you of last October when I suddenly had to leave late in the day and fly 3,000 miles to be with my father who was very seriously ill, and they didn't feel he might make it through the surgery. He had a ninety percent heart block. He had emergency by-pass surgery, and they didn't know if he would make it through the surgery, and they didn't know what kind of condition he would be in after the surgery. For those of you—many of you prayed and supported me then—the truth to that support is here. Dad, stand up. (Applause)

"Back home in Florida, they call Dad a walking miracle. That's one miracle down and one to go!

"A lot of you want to know what is happening. David is starting chemotherapy, probably Saturday, for a long period of time, and radiation therapy Monday; his rehabilitation therapy on his paraplegic problem, probably next week, and I am going to be with him to get that started and then I'll be back down here where David wants me to be. Thank you all for your support, and thank you for your friendship, and God bless you all for your prayers."

The Speaker: "Pat, I think I can speak for all members of this House and the staff in assuring you that all of our prayers and thoughts are with you and Sally and David, and if there's anything that anybody can possibly do, you be assured we stand ready to help."

HOUSE BILL NO. 1071, by Representatives Erak, Rosbach, Owen, Valle, Addison, Thompson, Lundquist, Greengo, Nickell, Garson, Chamberlain, Pruitt and Johnson:

Allowing commercial fishermen to sell fish directly to consumers from their boats once in port.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1071, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Salatino, Sommers, Struthers.

House Bill No. 1071, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 890, by Representatives Dawson and Isaacson:

Raising minimum bidding requirements for fire districts.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 890 was substituted for House Bill No. 890, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 890 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

Mr. Isaacson spoke again in favor of passage of the bill, and Ms. Hine also spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 890, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives North, Warnke.

Not voting: Representatives Barrett, Salatino, Sommers.

Substitute House Bill No. 890, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 894, by Representatives Rosbach, Monohon, Williams, Nisbet, Mitchell and Johnson:

Appropriating funds for razor clam programs.

The bill was read the second time.

Committee on Natural Resources and Environmental Affairs recommendation: Majority, do pass with the following amendment:

On page 1, line 7 after "hundred" strike "thirty-three" and insert "eighteen"

On motion of Ms. Rosbach, the committee amendment was adopted.

Mr. Garson moved adoption of the following amendment:

On page 1, after line 12 add the following:

"Sec. 3. Section 4, chapter 243, Laws of 1979 ex. sess. as amended by section 1, chapter 81, Laws of 1980 and RCW 75.25.040 are each amended to read as follows:

(1) The fees for razor-clamming licenses are:

(a) For an annual resident license, two dollars and fifty cents; and

(b) For an annual nonresident license, ((ten)) twenty dollars.

(2) Any resident sixty-five years of age or older or under sixteen years of age shall be issued, upon making an affidavit to such effect and upon payment of the dealer fee established in RCW 75.25.030, a personal use razor clam license at no cost.

(3) For the purposes of this chapter, 'resident' means a person who, for at least thirty days immediately preceding application for a license, has maintained a permanent place of abode within this state and has established, by formal evidence, an intent to continue residence within this state. All other persons are nonresidents.

(4) License fees received from the issuance of razor-clamming licenses shall be paid into the general fund and shall be subject to legislative appropriation until the cumulative total subject to legislative appropriation equals the appropriation under *section 11 of this act or so much of that appropriation as is actually used. Any excess over the amount appropriated or used shall be credited to the department of fisheries and shall be expended on the development or operation of programs beneficial to razor clam harvesting."

Mr. Garson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Garson yielded to question by Ms. Rust.

Ms. Rust: "Representative Garson, do you believe that this doubling of the nonresident license fees for digging razor clams is consistent with our statewide efforts to promote tourism?"

Mr. Garson: "I think it is consistent with the need to give a benefit to the state and the resource where the resource is being consumed by all those who are using it. I think we are in a position of subsidizing this area through general funds, and I think what this does is bring into line the out-of-state to what the in-state are paying to utilize the same resource."

Representatives Rosbach and Monohon spoke against the amendment.

Representative Sommers appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Garson to House Bill No. 894, and the amendment was not adopted by the following vote: Yeas, 21; nays, 71; not voting, 6.

Voting yea: Representatives Brown, Dickie, Galloway, Garson, Granlund, Grimm, Heck, Isaacson, James, Kaiser, Kreidler, Martinis, McDonald, Mitchell, North, Sanders, Stratton, Walk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Garrett, Greengo, Hankins, Hastings, Hine, Houchen, Johnson, King J., King R., Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McGinnis, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Sherman, Smith, Sommers, Sprague, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Wilson, Winsley.

Not voting: Representatives Barrett, Chandler, Salatino, Scott, Struthers, Thompson.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 894, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Salatino, Struthers.

Engrossed House Bill No. 894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1123, by Committee on Labor and Economic Development and Representative Berleen:

Modifying provisions relating to gambling.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Berleen and Ehlers spoke in favor of passage of the bill, and Mr. Greengo spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1123, and the bill passed the House by the following vote: Yeas, 63; nays, 30; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Barr, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Gallagher, Garrett, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, King J., King R., Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Thompson, Tilly, Valle, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Dawson, Ellis, Eng, Galloway, Garson, Granlund, Greengo, Hine, Johnson, Kaiser, Kreidler, Leonard, Lewis, Maxie, Nickell, North, O'Brien, Rust, Sherman, Stratton, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, Winsley.

Not voting: Representatives Amen, Barrett, Chandler, Salatino, Struthers.

House Bill No. 1123, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1007, by Committee on Local Government and Representatives Isaacson, Barrett, Sanders, Scott, Leonard, Berleen, Owen, Lundquist, Monohon, Chamberlain and James:

Revising procedures for notice of hearings by planning agencies.

The bill was read the second time. On motion of Mr. Isaacson, Substitute House Bill No. 1007 was substituted for House Bill No. 1007, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1007 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lundquist, King (R) and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1007, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Salatino, Sherman, Struthers.

Substitute House Bill No. 1007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Salatino, Struthers and Tilly, who were excused.

SUBSTITUTE SENATE BILL NO. 4469, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Patterson, Hansen and Vognilid):

Advancing the construction of interstate highways.

The bill was read the second time.

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Martinis spoke against the motion, and Mr. Wilson spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Substitute Senate Bill No. 4469 to final passage, and the motion failed to receive the two-thirds majority by the following vote: Yeas, 52; nays, 42; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Scott, Sherman, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers.

Substitute Senate Bill No. 4469 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 926, by Committee on State Government (originally sponsored by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen):

Modifying procedures of the human rights commission.

The bill was read the second time.

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

On page 2, after line 2 insert the following: "However, if a complaint has been filed with a county or city agency which has authority to dispose of civil rights complaints and which is recognized by the commission as having such authority, then this statute of limitations shall cease running as of the date of filing with the agency and shall commence running on the earlier of the following: (a) six months after the filing of the complaint with the agency; or (b) the date the local agency makes its final decision disposing of the complaint."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1098, by Representatives Van Dyken, Becker, Fiske and Lundquist:

Providing for review of decisions of the department of ecology concerning adjustments to local government master programs.

The bill was read the second time. On motion of Ms. Rosbach, Substitute House Bill No. 1098 was substituted for House Bill No. 1098, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1098 was read the second time.

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1098 was deferred, and the bill was ordered placed on the second reading calendar following House Bill No. 476.

The Speaker called on Mr. Amen to preside.

HOUSE BILL NO. 824, by Representatives McGinnis, Heck, Leonard, Bickham, Lux and Dawson:

Modifying provisions relating to assignment of dental insurance benefits.

The bill was read the second time. On motion of Mr. Dawson, Substitute House Bill No. 824 was substituted for House Bill No. 824, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 824 was read the second time.

Mr. Prince moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 48.44 RCW a new section to read as follows: Checks in payment for claims pursuant to any health care service contract for health care services provided by persons licensed or regulated under chapters 18.22, 18.25, 18.29, 18.32 or 18.53 RCW, where the provider is not a participant under a contract with the health care service contractor, shall be made out to both the provider and the insured, jointly, to require endorsement by each: PROVIDED, That payment shall be made in the single name of the insured if the insured as part of his or her claim furnishes evidence of prepayment to the health care service provider."

On motion of Mr. Padden, the following amendment to the Prince amendment was adopted:

Before the final period insert ", or in the single name of the provider if the health care service contractor so allows"

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Representative Prince as amended.

Mr. Prince spoke in favor of the amendment, and Representatives McGinnis, Dawson, Lux and Thompson spoke against it.

Mr. Prince again spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Prince as amended to Substitute House Bill No. 824, and the amendment was not adopted by the following vote: Yeas, 28; nays, 65; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Cantu, Chandler, Clayton, Dickie, Eberle, Flanagan, Galloway, Garrett, Granlund, Greengo, Hastings, Hine, Isaacson, Lewis, Lundquist, Nelson G. A., Nickell, Nisbet, O'Brien, Patrick, Prince, Rosbach, Schmidt, Sprague, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Garson, Grimm, Hankins, Heck, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., North, Owen, Padden, Pruitt, Rinehart, Rust, Sanders, Scott, Sherman, Smith, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers, Tilly.

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

Representatives Dawson and McGinnis spoke in favor of passage of the bill, and Representatives Barnes and Prince spoke against it.

Mr. McGinnis closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 824, and the bill passed the House by the following vote: Yeas, 82; nays, 10; not voting, 6.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Brekke, Cole, Flanagan, Garrett, Granlund, Hine, Patrick, Prince.

Not voting: Representatives Fiske, O'Brien, Salatino, Sommers, Struthers, Tilly.

Substitute House Bill No. 824, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPEAKER'S PRIVILEGE

The Speaker (Mr. Amen presiding) appointed Representatives Barr and Prince to escort the 1982 Washington Wheat Queen, Miss Dawn Koch, to the rostrum.

Queen Dawn addressed the House and the committee escorted her from the House Chamber.

HOUSE BILL NO. 476, by Representatives Thompson, Monohon and Wilson:

Exempting certain library records from requirements for public disclosure.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 476 was substituted for House Bill No. 476, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 476 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Padden.

Mr. Padden: "Representative Thompson, it's my understanding that this bill is aimed at protecting the library records of individuals from disclosure as an exemption from the Public Disclosure Commission. Is that a correct understanding?"

Mr. Thompson: "Your understanding is correct. Should this measure become law, no one would be able to inquire after anyone else's use of the libraries."

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 476, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers.

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

SUBSTITUTE HOUSE BILL NO. 1098:

The House resumed consideration of the bill on second reading.

On motion of Ms. Becker, the following amendment by Representatives Becker, Van Dyken and Lundquist was adopted:

On page 2, line 16 after "finds" insert ", by a preponderance of the evidence,"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1, by Representatives Rosbach, Owen, Wilson, Fiske and Mitchell:

Authorizing current use valuation for smaller areas of forest land.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 1 was substituted for House Bill No. 1, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rosbach, Dawson, Greengo and Kaiser spoke in favor of passage of the bill, and Ms. Rust spoke against it.

Ms. Rosbach spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brown, King J., McDonald, Rust.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers, Tilly.

Substitute House Bill No. 1, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 448, by Representatives Nisbet, Sherman, Brekke, Lane, Rust, Nelson (D), Valle, Gruger, Rinehart, Wang and Teutsch:

Prohibiting pull-tab beverage containers.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 448 was substituted for House Bill No. 448, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 448 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nisbet and Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 448, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Maxie, Salatino, Sommers, Stratton, Struthers, Tilly.

Substitute House Bill No. 448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 18, 1982

Mr. Speaker:

The President has signed:

THIRD SUBSTITUTE HOUSE BILL NO. 179,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 17, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4470,
ENGROSSED SENATE BILL NO. 4484,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4617,
ENGROSSED SENATE BILL NO. 4661,
SUBSTITUTE SENATE BILL NO. 4716,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4819,
SENATE BILL NO. 4909,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

HOUSE BILL NO. 848, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions relating to child welfare services.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 848 was substituted for House Bill No. 848, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 848 was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Padden, Stratton and Mitchell:

On page 7, after line 26 strike all matter down through line 6 on page 8 and insert:

"(f) Schools engaged primarily in the education of pre-elementary school children and/or elementary school children below compulsory attendance age in which no child is enrolled for more than seven and one-half hours per day including meal and rest periods;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

((g)) (h) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;

((hh)) (i) Licensed physicians or lawyers;

((+)) (j) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

((+)) (k) Facilities approved and certified under RCW 72.33.810;

((+)) (l) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund."

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I would ask for a point of order on Rule 14 D. I believe there is an identical bill still in the possession of the House, House Bill No. 951."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Ehlers, your point is not well taken. There is a difference in this."

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I will raise a point of order based on Rule 14 E. This is outside the scope and object. The item also has a change of title, and, of course, a change of title is an attempt to make this amendment within the scope and object."

MOTION

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 848 was deferred, and the bill was placed at the bottom of the second reading calendar.

HOUSE BILL NO. 852, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying provisions relating to nursing homes.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 852 was substituted for House Bill No. 852, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 852 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 852, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kridler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative King R.

Not voting: Representatives Fiske, McGinnis, Salatino, Sommers, Struthers, Tilly.

Substitute House Bill No. 852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 933, by Committee on Appropriations - General Government and Representatives Williams, Ehlers, Nelson (G), Thompson, Greengo and Sommers (by Legislative Budget Committee request):

Modifying provisions on the procurement of insurance by state agencies.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 933, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers, Tilly.

House Bill No. 933, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 980, by Committee on Human Services and Representative Mitchell (by Department of Social and Health Services request):

Modifying the energy allowance for public assistance recipients.

The bill was read the second time.

Committee on Human Services recommendation: Majority, do pass with the following amendment:

On page 1, line 26 strike "RCW 74.08.042" and insert "section 11, chapter 6, Laws of 1981 1st ex. sess."

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

Mr. Wang moved adoption of the following amendment by Representatives Wang, Kreidler, Tupper, Winsley, Greengo and Teutsch:

On page 2, after line 1 insert the following:

***NEW SECTION.** Sec. 4. The adoption of a uniform state-wide standard of need under RCW 74.04.____ (section 4, chapter 10, Laws of 1981 2nd ex. sess.) shall not be construed to require the adoption of uniform grant payment levels prior to the end of the 1981-'83 biennium. Unless a reduction in payment levels is required as a result of implementation of a rateable reduction, the payment differentials between Area 1 and Area 2 in effect on February 1, 1982, shall remain in effect through the end of the 1981-'83 biennium. In the event of a rateable reduction in payment levels, the percentage reduction in payment levels shall be the same percentage for both areas.*

Renumber the sections consecutively.

Representatives Wang and Kreidler spoke in favor of the amendment, and Representatives Mitchell and Nisbet spoke against it.

Mr. Mitchell again opposed the amendment, and Mr. Wang spoke again in favor of it.

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 980, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Salatino, Sommers, Struthers, Tilly.

Engrossed House Bill No. 980, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Struthers appeared at the bar of the House.

MOTION FOR RECONSIDERATION

Mr. Chandler, having given previous notice, moved that the House reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 806 failed to pass the House.

Representatives Chandler and O'Brien spoke in favor of the motion, and it was carried.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 806 was deferred, and the bill was placed at the bottom of today's third reading calendar.

MOTION FOR RECONSIDERATION

Mr. Ellis, having given previous notice, moved that the House reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 996 failed to pass the House.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Substitute House Bill No. 996 failed to pass the House, and the motion was carried by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Becker, Berleen, Bond, Cantu, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Greengo, Hastings, Hine, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, Martinis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, Warnke, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Kaiser, King J., King R., Kreidler, Lewis, Lux, Maxie, McCormick, Monohon, Nelson D., North, Owen, Pruitt, Rinehart, Rust, Scott, Sherman, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fiske, Salatino, Sommers, Tilly.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 996 was deferred, and the bill was placed at the bottom of today's third reading calendar.

HOUSE BILL NO. 1127, by Committee on Labor and Economic Development and Representative Sanders:

Modifying provisions relating to industrial insurance.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 1127 was substituted for House Bill No. 1127, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1127 was read the second time.

Mr. Patrick moved adoption of the following amendment:

On page 2, strike everything on lines 21 through 25 and insert: "in commuter ride sharing, as defined in RCW 46.74.010 (1), notwithstanding any participation by the employer in the ride sharing arrangement: PROVIDED, That the term shall not include any period following those times when an employee interrupts time spent going to or from the jobsite for personal business or purposes other than those defined in this section."

Representatives Patrick and King (J) spoke in favor of the amendment, and it was adopted.

Mr. Lux moved adoption of the following amendment by Representatives Lux and Erak: On page 3, line 9 after "~~(seven days)~~" strike "six months" and insert "fourteen days"

Mr. Lux spoke in favor of the amendment, and Representatives Sanders and Clayton spoke against it.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

Beginning on page 2, line 26 strike all of section 2 and renumber the remaining sections consecutively.

Mr. Lux spoke in favor of the amendment, and Mr. Sanders spoke against it.

The amendment was not adopted.

Substitute House Bill No. 1127 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1162, by Committee on Appropriations – General Government and Representative Williams:

Providing for an intensive management plan for geoducks.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was passed on final passage.

Representatives Williams and Heck spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1162, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Warnke.

Not voting: Representatives Brown, Fiske, Salatino, Tilly.

House Bill No. 1162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1174, by Committee on Ways and Means and Representatives Chandler and Wang:

Requiring joint operating agencies to pay the costs of elections authorizing the sale of bonds for major public energy projects.

The bill was read the second time.

Mr. Isaacson moved adoption of the following amendment:

On page 2, line 23 strike "((state)) applicant" and insert "state"

Mr. Isaacson spoke in favor of the amendment, and Mr. Chandler spoke against it.

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

The amendment was not adopted.

Mr. Isaacson moved adoption of the following amendments:

On page 2, beginning on line 23 after "provided" strike everything through and including "RCW 29.13.045" and insert "for state measures under RCW 29.13.047"

On page 2, line 25 strike "applicant" and insert "state"

Mr. Isaacson spoke in favor of the amendments, and Mr. Chandler opposed them.

The amendments were not adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was passed on final passage.

Mr. Chandler spoke in favor of passage of the bill, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt,

Scott, Sherman, Smith, Sommers, Sprague, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Hankins, Hastings, Isaacson, Leonard, Lundquist, Stratton, Struthers.

Not voting: Representatives Fiske, Salatino, Tilly.

House Bill No. 1174, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Amen presiding) called on Mr. Hastings to preside.

HOUSE BILL NO. 1180, by Representatives Lundquist and Fiske:

Permitting certain counties to choose commissioners from districts with unequal populations.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Lundquist yielded to question by Ms. Rust.

Ms. Rust: "Representative Lundquist, I appreciate the problems in the San Juan Islands, and I am very aware of their beauty, but I wonder if the people in San Juan County have considered taking a charter form of government so they could have a different number of commissioners?"

Mr. Lundquist: "No."

Ms. Rust spoke against passage of the bill, and Mr. Isaacson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1180, and the bill passed the House by the following vote: Yeas, 77; nays, 15; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Berleen, Brekke, Cole, Eng, Grimm, Heck, Hine, Lux, Maxie, Pruitt, Rust, Valle, Walk, Winsley.

Not voting: Representatives Erak, Fiske, Salatino, Scott, Tilly, Wang.

House Bill No. 1180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 848:

The House resumed consideration of the bill on second reading.

The Speaker (Mr. Hastings presiding) stated the question before the House to be the Point of Order raised by Representative Ehlers on the amendment by Representative Padden to page 7, line 26.

SPEAKER'S RULING (MR. HASTINGS PRESIDING)

The Speaker (Mr. Hastings presiding): "The question before the House is the point of order raised by Representative Ehlers. Representative Ehlers, your point is not well taken because the body of the bill regulates these schools and the amendment deals with these schools."

Mr. Padden spoke in favor of the amendment, and Mr. Kreidler spoke against it.

Mr. Padden spoke again in favor of the amendment, and Ms. Teutsch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to Substitute House Bill No. 848, and the amendment was not adopted by the following vote: Yeas, 33; nays, 56; not voting, 9.

Voting yea: Representatives Barr, Cantu, Clayton, Dawson, Eberle, Ellis, Fancher, Flanagan, Greengo, Houchen, James, Johnson, Leonard, Lundquist, Martinis, McCormick, McGinnis, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Van Dyken, Warnke.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dickie, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Kaiser, King J., King R., Kreidler, Lewis, Lux, Maxie, Mitchell, Monohon, Nelson D., Owen, Prince, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Williams, Winsley.

Not voting: Representatives Bond, Fiske, Isaacson, McDonald, Salatino, Tilly, Tupper, Wilson, and Mr. Speaker.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and Substitute House Bill No. 848 was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 848, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Erak, Fiske, Salatino, Scott, Tilly.

Substitute House Bill No. 848, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Amen resumed the Chair.

HOUSE JOINT MEMORIAL NO. 22, by Committee on Ways and Means and Representatives Chandler, Williams and Johnson:

Requesting passage of an enterprise zone act.

The memorial was read the second time.

Committee on Ways and Means recommendation: Majority, do pass with the following amendment:

On page 1, line 28 strike "basis" and insert "bases"

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

The memorial was ordered engrossed. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Chandler spoke in favor of the memorial, and Representatives Berleen, Lux, Becker and Rinehart spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 22, and the memorial passed the House by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Barrett, Bender, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Fancher, Gallagher, Garrett, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Berleen, Brekke, Burns, Cole, Dickie, Ehlers, Eng, Flanagan, Galloway, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis,

Maxie, McCormick, McDonald, Monohon, Nelson D., North, Owen, Pruitt, Rinehart, Rust, Sherman, Tupper, Valle.

Not voting: Representatives Erak, Fiske, Salatino, Scott, Thompson, Tilly.

Engrossed House Joint Memorial No. 22, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 1000, by Committee on Education and Representative Vander Stoep: Authorizing pilot program for four day work week in schools.

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

POINT OF ORDER

Mr. Warnke: "Mr. Speaker, I challenge this bill under Rule 29(D)(6)."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Warnke, this is strictly a volunteer program and there is no cost, I am told."

Mr. Warnke spoke against the bill.

MOTION

Mr. Warnke moved that House Bill No. 1000 be rereferred to Committee on Appropriations - Education.

Mr. Warnke spoke in favor of the motion, and Mr. Taylor spoke against it.

POINT OF INQUIRY

Mr. Warnke yielded to question by Ms. Leonard.

Ms. Leonard: "Representative Warnke, would this lengthen the school day?"

Mr. Warnke: "Representative Leonard, yes, it does—"

POINT OF ORDER

Mr. Taylor: "We are not discussing the bill at this point. We're just stating a fiscal impact. The length of school days should come after this is voted down."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Taylor, your point is not well taken. Reed's Rule 126 says the motion to commit is debatable, but the merits of the main question are not open to discussion."

ROLL CALL

The Clerk called the roll on the motion to rerefer House Bill No. 1000 to Committee on Appropriations - Education, and the motion was not carried by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Eberle, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Salatino, Tilly.

The Speaker (Mr. Amen presiding) stated the question before the House to be the final passage of House Bill No. 1000.

Representatives Vander Stoep and Galloway spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1000, and the bill passed the House by the following vote: Yeas, 61; nays, 31; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bond, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Fancher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, James, Johnson, King R., Kreidler, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Rust, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Bender, Bickham, Brekke, Burns, Cantu, Cole, Dickie, Ehlers, Eng, Erak, Flanagan, Gallagher, Grimm, Kaiser, King J., Lux, Martinis, Maxie, McCormick, North, O'Brien, Pruitt, Rinehart, Sanders, Schmidt, Sherman, Valle, Walk, Wang, Warnke.

Not voting: Representatives Brown, Fiske, Isaacson, McDonald, Salatino, Tilly.

House Bill No. 1000, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My vote for House Bill No. 1000 was in error. I intended to vote "No."

AVERY GARRETT, 11th District.

The Speaker resumed the Chair.

SUBSTITUTE HOUSE BILL NO. 895, by Committee on State Government (originally sponsored by Representatives Hankins, Martinis, James, McCormick, Patrick, Prince, Chamberlain, Isaacson, Johnson, Garrett, Garson and Hastings):

Eliminating the use of legal-size media by the state.

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

Representatives Hankins, Addison and Greengo spoke in favor of passage of the bill, and Representatives Ehlers and Rust spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 895, and the bill failed to pass the House by the following vote: Yeas, 43; nays, 51; not voting, 4.

Voting yea: Representatives Addison, Barnes, Bender, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Eng, Fancher, Garrett, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Patrick, Sanders, Scott, Sprague, Struthers, Tupper, Vander Stoep, Wang, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Becker, Berleen, Bickham, Brekke, Brown, Burns, Cole, Dawson, Ehlers, Erak, Flanagan, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Maxie, McDonald, Monohon, North, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Valle, Van Dyken, Walk, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Fiske, Salatino, Smith, Tilly.

Substitute House Bill No. 895, having failed to receive the constitutional majority, was declared lost.

SUBSTITUTE HOUSE BILL NO. 914, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Representatives Lundquist, Van Dyken, James and Fiske):

Clarifying procedures for reviewing shoreline permits.

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

Representatives Lundquist and Van Dyken spoke in favor of passage of the bill, and Representatives Martinis, Brekke and Thompson spoke against it.

POINT OF INQUIRY

Mr. Lundquist yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Lundquist, there is some concern that state agencies receive some sort of notification of substantial shoreline hearings. Can you tell me and the body, in your bill as presented, are there any provisions for the state agencies to notify in the event of a substantial permit requirement?"

Mr. Lundquist: "Yes, Representative Dawson, there is a requirement of this bill that the state agencies, the Department of Fisheries, the Department of Game, Social and Health Services and those other agencies affected by a substantial development would, under this bill, receive notification. I might point out that under the present law this is not required. I might also point out that under the bill that we're proposing here today, there is an increased amount of notice by approximately one week. This has also been worked out with the Department of Fisheries and they understand. I think if you really want to understand this bill, you have to understand what happens now. In response to Representative Thompson's concerns, this bill does not contain any requirements of the local jurisdictions."

Ms. Valle spoke against passage of the bill.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 914, and the bill passed the House by the following vote: Yeas, 51; nays, 41; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Addison, Chandler, Fiske, Salatino, Schmidt, Tilly.

Substitute House Bill No. 914, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 385.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Mr. Prince served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 895 failed to pass the House.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Second Substitute House Bill No. 941 was returned to second reading for purpose of amendment.

On motion of Mr. Nelson (G), further consideration of Engrossed Second Substitute House Bill No. 941 was deferred.

SUBSTITUTE HOUSE BILL NO. 1069, by Committee on Human Services (originally sponsored by Representatives Leonard, Bond, Patrick, Brown, McGinnis, Stratton, Johnson, McCormick, Owen, Addison, Barrett, Schmidt, Scott, Nickell, Chamberlain, Rosbach and Padden):

Making autopsies mandatory in certain cases.

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

Ms. Leonard spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Leonard yielded to question by Mr. Kreidler.

Mr. Kreidler: "Representative Leonard, with discussion of several members when this bill came out, there were a couple of questions that relate to the same thing you were asked. I'm concerned about it. It would appear that perhaps there is going to be a considerably increased number of walkouts, presuming that the county coroners would perhaps feel that they were

going to be susceptible to lawsuits, and so forth, if they didn't do it when there was any reasonable doubt, and if they did do it in quite a few more cases, it would appear that there would be considerable more cost involved. There would be a number of autopsies performed and because of that, there would be a fiscal impact and Initiative 62 would come into play. Can you respond to that? Is there going to be any increase in the number of autopsies performed because of this bill? What is the cost to local government?"

Ms. Leonard: "Representative Kreidler, actually an autopsy, I understand, costs \$250. There is a bill to require that the coroners be dismissed, and we go to medical examiners which I have information would cost \$200,000. I believe the \$250 cost for these cases where there is cause to believe that a person has met death by unlawful means should, under any circumstances, be investigated. I just don't believe that unlawful deaths should go undetected. I do believe that \$250 is not a great deal of extra money to pay for the actual facts."

Representatives Kreidler and Nickell spoke against passage of the bill, and Representatives Vander Stoep and Leonard spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1069, and the bill passed the House by the following vote: Yeas, 67; nays, 26; not voting, 5.

Voting yea: Representatives Addison, Barnes, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., O'Brien, Padden, Patrick, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barr, Brekke, Burns, Clayton, Ehlers, Eng, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Nelson D., Nickell, Nisbet, North, Owen, Prince, Rust, Sherman, Teutsch, Walk, Winsley.

Not voting: Representatives Becker, Chandler, Fiske, Salatino, Tilly.

Substitute House Bill No. 1069, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1200, by Committee on Transportation and Representative Clayton:

AN ACT Relating to motor vehicle license plates; and amending section 60, chapter 145, Laws of 1967 ex. sess. and RCW 46.16.237.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4470, by Senators Clarke, Vognild, Benitz, Rasmussen, Hurley and Zimmerman (by Governor Spellman request):

Modifying provisions relating to pistols.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 4484, by Senators Haley, Charnley, Jones and Craswell:

Establishing commercial zones and terminal areas for trucks.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 4617, by Committee on Ways and Means (originally sponsored by Senators Bauer, Bluechel, Scott, Hansen, Bottiger, Hughes, Gaspard, Zimmerman and Talley):

Modifying the interest used in calculating the tax imposed upon removal of certain lands from current use classification.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 4661, by Senator Quigg (by Department of Employment Security request):

Modifying provisions relating to unemployment compensation.

To Committee on Labor and Economic Development

SUBSTITUTE SENATE BILL NO. 4716, by Committee on State Government (originally sponsored by Senator Clarke – by Secretary of State request):

Revising filing procedures, fee schedules, and requirements for laws administered by the secretary of state.

To Committee on Ethics, Law and Justice

ENGROSSED SUBSTITUTE SENATE BILL NO. 4819, by Committee on Judiciary (originally sponsored by Senators Hemstad, Wojahn, Gould, Haley, McCaslin, Fuller, Benitz and Sellar):

Clarifying the laws regulating driving offenses including drunk driving.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4909, by Senator Fuller:

Modifying provisions relating to the solid waste advisory committee.

To Committee on Local Government

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

REPORTS OF STANDING COMMITTEES

February 17, 1982

HOUSE BILL NO. 995, Prime Sponsor: Representative Sanders, creating the citizen councilors commission to aid communication between citizens and government. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Erak, Johnson, Kaiser, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Sprague.

Voting nay: Representatives Garson, Vice Chairman; Walk, Ranking Minority Member; Hankins, Lewis, Rust.

Not attending: Representative Greengo.

Rereferred to Committee on Appropriations – General Government.

February 18, 1982

REENGROSSED SENATE BILL NO. 3737, Prime Sponsor: Senator Lee, modifying the administration of winter recreation activities. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Barr, Brekke, Dawson, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Rinehart, Stratton, Valle, Williams.

Not attending: Representatives Addison, Brekke, Erak, Owen, Thompson, Wilson.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), SENATE BILL NO. 4558 was rereferred from Committee on Institutions to Committee on Labor and Economic Development.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, February 19, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FORTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 19, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding).

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1202, by Representatives Leonard and Stratton:

AN ACT Relating to amusement devices; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 16, chapter ... (HB 884 or SB 4486), Laws of 1982 and RCW 82.04.260; and adding new sections to chapter 82.04 RCW.

To Committee on Revenue

REPORTS OF STANDING COMMITTEES

February 18, 1982

SUBSTITUTE SENATE BILL NO. 4437, Prime Sponsor: Committee on Agriculture, modifying the laws governing commission merchants and dealers of agricultural products. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 2 after "sale" insert "unless otherwise specified in an agreement between the producer and the dealer in livestock"

On page 5, beginning on line 5 strike all of subsection (1) and insert:

"(1) ((Any person is guilty of a gross misdemeanor who assumes or attempts to act or acts as a commission merchant, dealer, broker, cash buyer, or agent without a license, or any licensee who)) Except as provided in subsection (2) of this section, a person who violates the provisions of this chapter or fails to comply with the rules adopted under this chapter is guilty of a gross misdemeanor."

Signed by Representatives Smith, Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fancher, Gallagher, Hastings, Kaiser, Padden, Prince.

Not attending: Representatives Van Dyken, Vice Chairman; Fiske, Lux, Sommers.

Passed to Committee on Rules for second reading.

February 18, 1982

SUBSTITUTE SENATE BILL NO. 4438, Prime Sponsor: Committee on Agriculture, modifying the laws governing commission merchants. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, at the beginning of line 17 strike "commission merchant or"

On page 8, at the beginning of line 4 strike "((principal)) commission merchant or dealer or his" and insert "principal or his or her"

Signed by Representatives Smith, Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fancher, Gallagher, Hastings, Kaiser, Padden, Prince.

Not attending: Representatives Van Dyken, Vice Chairman; Fiske, Lux, Sommers.

Passed to Committee on Rules for second reading.

February 18, 1982

SUBSTITUTE SENATE BILL NO. 4439, Prime Sponsor: Committee on Agriculture, changing maximum cattle assessments. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, at the beginning of line 9 strike "(1)"

On page 1, beginning on line 14 after "director" strike all material through "head" on line 19 and insert "finds, after a hearing held in accordance with the Administrative Procedure Act, chapter 34.04 RCW, which shall be held at least sixty days prior to July 1, 1977, that the assessment should be otherwise, but in no instance may such assessment exceed twenty cents per head))"

On page 2, beginning on line 1 after "sale" strike all material through "hearing(s)" on line 10

Signed by Representatives Smith, Chairman; Galloway, Ranking Minority Member; Amen, Ehlers, Fancher, Gallagher, Hastings, Kaiser, Padden, Prince.

Not attending: Representatives Van Dyken, Vice Chairman; Fiske, Lux, Sommers.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Monday, February 22, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FORTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, February 22, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

MESSAGES FROM THE SENATE

February 18, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 385,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 18, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3001,
 SUBSTITUTE SENATE BILL NO. 3025,
 SUBSTITUTE SENATE BILL NO. 3361,
 SENATE BILL NO. 3795,
 SENATE BILL NO. 3864,
 ENGROSSED SENATE BILL NO. 3915,
 ENGROSSED SENATE BILL NO. 3916,
 SENATE BILL NO. 3921,
 ENGROSSED SENATE BILL NO. 3944,
 ENGROSSED SENATE BILL NO. 4133,
 SUBSTITUTE SENATE BILL NO. 4153,
 SENATE BILL NO. 4354,
 ENGROSSED SENATE BILL NO. 4366,
 SUBSTITUTE SENATE BILL NO. 4526,
 SUBSTITUTE SENATE BILL NO. 4550,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4597,
 SENATE BILL NO. 4691,
 SENATE BILL NO. 4703,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4707,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4708,
 SENATE BILL NO. 4717,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4728,
 ENGROSSED SENATE BILL NO. 4729,
 SENATE BILL NO. 4736,
 SENATE BILL NO. 4745,
 ENGROSSED SENATE BILL NO. 4748,
 SENATE BILL NO. 4749,
 SUBSTITUTE SENATE BILL NO. 4755,
 SENATE BILL NO. 4769,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 4775,
 SUBSTITUTE SENATE BILL NO. 4824,
 SUBSTITUTE SENATE BILL NO. 4846,
 SUBSTITUTE SENATE BILL NO. 4852,
 SENATE BILL NO. 4905,
 ENGROSSED SENATE BILL NO. 4947,
 SENATE BILL NO. 4956,
 ENGROSSED SENATE JOINT MEMORIAL NO. 115,
 SENATE JOINT MEMORIAL NO. 116,
 SENATE JOINT MEMORIAL NO. 120,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 124,
 ENGROSSED SENATE JOINT RESOLUTION NO. 142.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 135,
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 140,
 and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 19, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 4562,
 SUBSTITUTE SENATE BILL NO. 4750,
 SUBSTITUTE SENATE BILL NO. 4917,
 SENATE BILL NO. 4919,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1201, by Committee on Revenue and Representatives Sanders and Greengo:

AN ACT Relating to sales tax exemptions; and amending section 39, chapter 37, Laws of 1980 and RCW 82.08.0273.

To Committee on Revenue

HOUSE BILL NO. 1203, by Committee on Revenue and Representative Greengo:

AN ACT Relating to excise taxes; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; providing an effective date; and declaring an emergency.

To Committee on Revenue

SENATE BILL NO. 3001, by Senator Rasmussen:

Providing for parking for disabled persons.

To Committee on State Government

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3025, by Committee on Parks and Ecology (originally sponsored by Senators Williams, Guess, Bauer, Zimmerman, Hemstad, Charnley, Moore and Fuller - by Senate Committee on Ecology of the 46th Legislature request):

Modifying taxation of historic properties.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 3361, by Committee on Local Government (originally sponsored by Senators Fleming and Jones):

Increasing the maximum cost of port district small works projects.

To Committee on Local Government

SENATE BILL NO. 3795, by Senator Sellar:

Requiring the payment of premiums for health care services to the employer during labor disputes.

To Committee on Financial Institutions and Insurance

SENATE BILL NO. 3864, by Senators Goltz, Sellar, Bauer and Charnley;

Denying legislative salaries to legislators convicted of a felony.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 3915, by Senators Lee, Hurley and Vognild:

Establishing the recreation guide revolving fund.

To Committee on Natural Resources and Environmental Affairs

ENGROSSED SENATE BILL NO. 3916, by Senators Quigg and Goltz:

Requiring modification of shoreline classification to reflect changed circumstances.

To Committee on Natural Resources and Environmental Affairs

SENATE BILL NO. 3921, by Senators Goltz, Gallagher, Wilson and Sellar:

Extending the scope of the legislative ethics law and establishing a statute of limitations for complaints thereunder.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE BILL NO. 3944, by Senator Guess:

Modifying the labor dispute disqualification for unemployment benefits.

To Committee on Labor and Economic Development

ENGROSSED SENATE BILL NO. 4133, by Senators Quigg, Ridder and Sellar (by Governor Spellman request):

Modifying the adjustments in compensation or death benefits payable under the industrial insurance system.

To Committee on Financial Institutions and Insurance

SUBSTITUTE SENATE BILL NO. 4153, by Committee on Judiciary (originally sponsored by Senator Pullen):

Permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4354, by Senator Lee:

Providing choices for personnel or civil service system for employees of combined city and county health departments.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 4366, by Senators Rasmussen and Craswell:

Modifying penalties for unlawful issuance of checks or drafts.

To Committee on Ethics, Law and Justice

SUBSTITUTE SENATE BILL NO. 4526, by Committee on Commerce and Labor (originally sponsored by Senators Benitz, Charnley, Newhouse and Hansen):

Permitting breweries, wineries or wholesalers to offer instruction on beer or wine to licensees.

To Committee on Labor and Economic Development

SUBSTITUTE SENATE BILL NO. 4550, by Committee on Natural Resources (originally sponsored by Senator Guess - by Department of Game request):

Revising requirements to facilitate checking compliance with game laws.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE BILL NO. 4562, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Talley, Guess and Charnley):

Authorizing state participation in a multistate motor fuel tax agreement.

To Committee on Transportation

ENGROSSED SUBSTITUTE SENATE BILL NO. 4597, by Committee on Commerce and Labor (originally sponsored by Senators Zimmerman, Vognild and Bauer):

Modifying the state fireworks law.

To Committee on Labor and Economic Development

SENATE BILL NO. 4691, by Senators Talmadge, Bottiger and Hemstad:

Making technical corrections in the law of comparative fault and contribution among tortfeasors.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4703, by Senators Vognild, Quigg and Bottiger:

Modifying provisions relating to class K liquor licenses.

To Committee on Labor and Economic Development

ENGROSSED SUBSTITUTE SENATE BILL NO. 4707, by Committee on Education (originally sponsored by Senators Kiskaddon and Wojahn):

Making miscellaneous changes in school code including removal of obsolete sections.

To Committee on Education

ENGROSSED SUBSTITUTE SENATE BILL NO. 4708, by Committee on Ways and Means (originally sponsored by Senators Jones, McDermott, Deccio, Bottiger, Benitz and McCaslin - by Horse Racing Commission request):

Implementing laws relating to horse racing.

To Committee on Ways and Means

SENATE BILL NO. 4717, by Senators Lee, Shipoch and Metcalf:

Giving free copies of state statutes and rules to legislative committees.

To Committee on Appropriations - General Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4728, by Committee on Financial Institutions and Insurance (originally sponsored by Senators Sellar and Wojahn):

Authorizing the issuance of short-term obligations by municipal corporations.

To Committee on Local Government

ENGROSSED SENATE BILL NO. 4729, by Senators Newhouse, Moore, Quigg, McDermott and Jones (by Liquor Control Board request):

Implementing law relating to financial interests by banks, savings and loan associations and institutional investors in licensed retail business dealing with alcoholic beverages.

To Committee on Labor and Economic Development

SENATE BILL NO. 4736, by Senators Hemstad and Zimmerman:

Prohibiting the abuse of substances containing toxic vapors or fumes.

To Committee on Ethics, Law and Justice

SENATE BILL NO. 4745, by Senator Quigg:

Authorizing payment of shared work unemployment insurance benefits.

To Committee on Appropriations - Human Services

ENGROSSED SENATE BILL NO. 4748, by Senators Benitz, Charnley and Newhouse:

Permitting breweries and wineries to conduct courses in beer and wine.

To Committee on Labor and Economic Development

SENATE BILL NO. 4749, by Senators Haley, Wojahn, Lee, Gould and Hayner:

Repealing voter qualifications previously found unconstitutional.

To Committee on Ethics, Law and Justice

SUBSTITUTE SENATE BILL NO. 4750, by Committee on Transportation (originally sponsored by Senators Scott, Goltz and von Reichbauer - by Department of Licensing request):

Authorizing the department of licensing to enter into the nonresident violators compact.

To Committee on Transportation

SUBSTITUTE SENATE BILL NO. 4755, by Committee on Commerce and Labor (originally sponsored by Senators Benitz, Charnley and Newhouse):

Authorizing domestic wineries to serve wine at special occasion class J license events.

To Committee on Labor and Economic Development

SENATE BILL NO. 4769, by Senators Lee, Wojahn, Gould, Scott, Shinpoch, Haley, Ridder, McDermott, Woody, Fleming, Craswell and Bluechel:

Requiring higher education personnel's and state employees' salaries to be adjusted to achieve comparable worth.

To Committee on Appropriations - General Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4775, by Committee on State Government (originally sponsored by Senators Newhouse and Shinpoch):

Expanding the duties of the state patrol section in identification.

To Committee on State Government

SUBSTITUTE SENATE BILL NO. 4824, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Zimmerman and Peterson):

Providing separate chapters of laws of aquatic lands.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE BILL NO. 4846, by Committee on Agriculture (originally sponsored by Senators Wilson, Newhouse and Hansen):

Authorizing the department of ecology to acquire and operate the Lake Osoyoos International Water Control Structure.

To Committee on Agriculture

SUBSTITUTE SENATE BILL NO. 4852, by Committee on Agriculture (originally sponsored by Senators Hansen, Newhouse and Wilson):

Modifying provisions on delinquent irrigation district assessments.

To Committee on Agriculture

SENATE BILL NO. 4905, by Senators Lee, Bauer and Wilson:

Modifying provisions relating to the governing bodies of merged special purpose districts.

To Committee on Local Government

SUBSTITUTE SENATE BILL NO. 4917, by Committee on Education (originally sponsored by Senator Kiskaddon):

Redefining superintendent of public instruction position on state board of education.

To Committee on Education

SENATE BILL NO. 4919, by Senators Quigg, Hemstad and Fuller (by Department of Employment Security request):

Making an appropriation to the employment security department.

To Committee on Appropriations - Human Services

ENGROSSED SENATE BILL NO. 4947, by Senator Newhouse (by Board of Industrial Appeals request):

Revising procedures for appeals regarding industrial insurance.

To Committee on Labor and Economic Development

SENATE BILL NO. 4956, by Senators Williams, von Reichbauer, Charnley and Hansen:

Regulating the disposition of historic ferries.

To Committee on Transportation

ENGROSSED SENATE JOINT MEMORIAL NO. 115, by Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman:

Opposing the imposition of user fees to fund federal navigation projects.

To Committee on Local Government

SENATE JOINT MEMORIAL NO. 116, by Senators Williams, Gould, Lysen, Hurley, Conner, Wojahn, Ridder, Charnley, Vognild, McDermott, Goltz, Wilson, Bauer, Talmadge and Gaspard:

Requesting modification of federal policies on high-level radioactive wastes.

To Committee on Energy and Utilities

SENATE JOINT MEMORIAL NO. 120, by Senators Fuller, Guess, Hurley, Bluechel, Hughes, Williams, Goltz, Hansen, Quigg and Zimmerman (by Interagency Committee for Outdoor Recreation request):

Requesting Congress to authorize apportionments from the Federal Land and Water Conservation Fund.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE JOINT MEMORIAL NO. 124, by Committee on Energy and Utilities (originally sponsored by Senators Gould, Moore, Fuller, Woody, McCaslin, Wilson, Hurley and Hemstad):

Asking Congress to approve compact on nuclear waste.

To Committee on Energy and Utilities

ENGROSSED SENATE JOINT RESOLUTION NO. 142, by Senators Pullen and Woody:

Removing obsolete provisions from the Constitution.

To Committee on Ethics, Law and Justice

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 135, by Senators Von Reichbauer, Charnley, Kiskaddon and Williams:

Establishing the policy of giving priority to ride-sharing programs and other transportation system techniques.

To Committee on Transportation

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 140, by Senators Gould and Williams:

Establishing a Joint Select Committee for Radioactive Waste.

To Committee on Energy and Utilities

MOTION

On motion of Mr. Nelson (G), the bills, memorials and resolutions listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 19, 1982

HOUSE BILL NO. 828, Prime Sponsor: Representative Tilly, continuing compensation for crime victims. Reported by Committee on Ways and Means.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Not attending: Representative Struthers, Vice Chairman.

Passed to Committee on Rules for second reading.

February 18, 1982

HOUSE BILL NO. 912, Prime Sponsor: Representative Barnes, modifying provisions relating to the energy facility site evaluation council. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass with the following amendments:

On page 20, after line 19 insert a new section to read as follows:

"NEW SECTION. Sec. 12. There is added to chapter 80.50 RCW a new section to read as follows:

This act shall apply prospectively, except that the current requirements of this chapter shall continue to apply for applicants who have made application prior to January 1, 1977, and are making reapplication for the same or similar projects."

On page 1, line 23 of the title after "80.50.180;" strike "and"

On page 1, line 24 of the title after "80.50.190" insert "; and adding a new section to chapter 80.50 RCW"

Signed by Representatives Barnes, Chairman; Bond, Dickie, Eberle, Isaacson, McCormick, Schmidt, Sprague, Tupper, Vander Stoep.

MINORITY recommendation: Do not pass. Signed by Representatives Nelson (D), Ranking Minority Member; Armstrong, Hine, Scott, Sherman, Wang.

Voting Aye and not signing report: Representative Cantu, Vice Chairman.

Voting nay and not signing report: Representative Bender.

Passed to Committee on Rules for second reading.

February 18, 1982

HOUSE BILL NO. 1039, Prime Sponsor: Representative Eberle, removing authority of state liquor stores to sell beer and wine. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Barnes, Ellis, King (J), McGinnis, Monohon, Rosbach.

Voting nay: Representative Kaiser.

Not attending: Representatives Fiske, Vice Chairman; Amen, Maxie.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1060, Prime Sponsor: Committee on Labor and Economic Development, modifying reporting requirements on prosecutions under state liquor laws. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Passed to Committee on Rules for second reading.

February 18, 1982

HOUSE BILL NO. 1075, Prime Sponsor: Committee on Ways and Means, making appropriations for capital projects of the department of natural resources. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Barnes, Ellis, Kaiser, King (J), McGinnis, Monohon, Rosbach.

Not attending: Representatives Fiske, Vice Chairman; Amen, Maxie.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1102, Prime Sponsor: Representative Nelson (G), implementing law relating to the control of gambling. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brown, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Voting nay: Representatives Brekke, Clayton.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1105, Prime Sponsor: Representative King (J), modifying appropriations to the department of social and health services. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nisbet, Chairman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Kreidler, Mitchell, Pruitt, Valle.

Voting nay: Representative Berleen, Vice Chairwoman.

Not attending: Representatives Johnson, Tilly.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1109, Prime Sponsor: Representative Sommers, modifying provisions relating to the budget stabilization act. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Warnke, Williams.

Voting nay: Representative Thompson.

Not attending: Representative Struthers, Vice Chairman.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1128, Prime Sponsor: Committee on Ethics, Law and Justice, enacting the uniform unclaimed property act. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang.

Not signing report: Representative Tilly.

Not attending: Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Winsley.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1133, Prime Sponsor: Committee on Labor and Economic Development, modifying the time period for unfair labor practices complaints. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 23 after "(2)" insert "The commission shall determine whether or not a party has engaged in an unfair labor practice within six months of the date of the close of the hearing required by section 2."

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Eberle, Garrett, Hankins, Lux, Monohon, Smith.

Voting nay: Representatives Clayton, Flanagan.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1140, Prime Sponsor: Representative Barr, relating to the prepayment of local sales and use taxes and the use of such tax revenues to mitigate socioeconomic impacts of large construction projects. Reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Brown, Tilly.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE BILL NO. 1165, Prime Sponsor: Committee on State Government, modifying boards and commissions based on revised congressional districts. Reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, Rinehart, Rust, Sprague.

Not attending: Representatives Garson, Vice Chairman; Erak, Hankins, Johnson, O'Brien.

Passed to Committee on Rules for second reading.

February 18, 1982

HOUSE BILL NO. 1176, Prime Sponsor: Committee on Appropriations - General Government, appropriating funds to the department of general administration. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Thompson, Ranking Minority Member; Barnes, Ellis, Kaiser, King (J), McGinnis, Monohon, Rosbach.

Voting nay: Representative Williams, Chairman.

Not attending: Representatives Fiske, Vice Chairman; Amen, Maxie.

Passed to Committee on Rules for second reading.

February 19, 1982

HOUSE JOINT RESOLUTION NO. 13, Prime Sponsor: Representative Williams, modifying fiscal provisions of the state Constitution. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Warnke, Williams.

Voting nay: Representative Becker.

Not attending: Representatives Struthers, Vice Chairman; Thompson.

Passed to Committee on Rules for second reading.

February 19, 1982

ENGROSSED SENATE BILL NO. 3145, Prime Sponsor: Senator Hayner, clarifying the authority of professional service corporations and their members. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 3 of the title after "11.36.010" strike everything through "18.100.060" on line 4 of the title

Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Not attending: Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 19, 1982

SENATE BILL NO. 3847, Prime Sponsor: Senator Lee, revising laws relating to uniform allowance of organized militia. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "allowance" strike "~~((of one hundred dollars))~~" and insert "of one hundred dollars"

On page 1, beginning on line 16 after "allowance" strike "~~((of fifty dollars))~~" and insert "of fifty dollars"

Signed by Representatives Addison, Chairman; Greengo, Hankins, Kaiser, Lewis, McGinnis, Nickell, Rinehart, Rust, Sprague.

Voting nay: Representative Walk, Ranking Minority Member.

Not signing report: Representative Nelson (D).

Not attending: Representatives Garson, Vice Chairman; Erak, Johnson, O'Brien.

Passed to Committee on Rules for second reading.

February 19, 1982

SENATE BILL NO. 4064, Prime Sponsor: Senator Lee, providing for annexation of "island" within sewer and water districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, North, Stratton, Tilly, Van Dyken.

Not signing report: Representative Leonard.

Not attending: Representatives Lundquist, Vice Chairman; Barr, Brown, Tilly.

Passed to Committee on Rules for second reading.

February 19, 1982

SUBSTITUTE SENATE BILL NO. 4449, Prime Sponsor: Committee on Judiciary, increasing the number of judges in Clallam and Jefferson counties. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Not attending: Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 19, 1982

SUBSTITUTE SENATE BILL NO. 4461, Prime Sponsor: Committee on Judiciary, modifying time limits and evidence rule in actions involving the sexual abuse of children. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Patrick, Pruitt, Tilly, Tupper, Wang.

Not attending: Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 19, 1982

SUBSTITUTE SENATE BILL NO. 4481, Prime Sponsor: Committee on Local Government, revising review limitations of sewer or water district plans. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Lundquist, Vice Chairman; Barr, Brown, Leonard, Tilly.

Passed to Committee on Rules for second reading.

February 19, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4505, Prime Sponsor: Committee on Local Government, deleting minimum charge for county treasurer investment service. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Lundquist, Vice Chairman; Barr, Brown, Leonard, Tilly.

Passed to Committee on Rules for second reading.

February 18, 1982

SUBSTITUTE SENATE BILL NO. 4510, Prime Sponsor: Committee on Ways and Means, providing for recovery operations from Mt. St. Helens eruption. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 8 after "domain," strike all material down to and including "land" on line 9 and insert "secure any lands or interest in lands by purchase or donation"

On page 4, after line 5 strike all the material down to and including "1984." on line 12 and insert the following:

(1) The legislature intends to expedite flood-control dredging operations in those rivers affected by the May 1980 eruption of Mt. St. Helens, while continuing to protect the fish resources of these rivers.

(2) The director of fisheries and director of game shall process hydraulic project applications submitted under RCW 75.20.100 within five working days of receipt of the application. This requirement is only applicable to flood control dredging projects located in the Toutle river, the Cowlitz river downstream from the mouth of the Toutle river, and volcano-damaged areas of the Coweeman and Columbia rivers.

(3) The mandatory emergency provisions of RCW 75.20.100 for the purposes of this act may be initiated by the county legislative authority. Provided: The project is necessary to provide protection from flood hazards to human life and/or to reduce or prevent flood damages or destruction of property including;

(a) flood fight measures necessary to provide protection during a flood event, or

(b) measures necessary to reduce or eliminate a potential flood threat when other alternative measures are not available or cannot be completed prior to the expected flood threat season, or

(c) measures which must be initiated and completed within an immediate period of time and for which processing of the request through normal methods would cause a delay to the project and such delay would significantly increase the potential for damages from a flood event.

This section expires on June 30, 1984."

On page 4, after line 12 strike all the material down to and including "1984." on line 21

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 28 after "Sec. 11." strike all material down to and including "act" on line 31 and insert "There is appropriated from the general fund to the department of transportation one million dollars for the required acquisition and related incidental expenses thereto or that portion of the required acquisition that can be accomplished with the funds appropriated herein"

On page 1, line 5 of the title strike "adding a new section to chapter 77.12 RCW;"

Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Barnes, Ellis, Kaiser, King (J), McGinnis, Monohon, Rosbach.

Not attending: Representatives Fiske, Vice Chairman; Amen, Maxie.

Passed to Committee on Rules for second reading.

February 19, 1982

ENGROSSED SENATE BILL NO. 4551, Prime Sponsor: Senator von Reichbauer, revising laws relating to the state commission on equipment. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Hankins, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Garson, Lundquist.

Passed to Committee on Rules for second reading.

February 19, 1982

SENATE BILL NO. 4584, Prime Sponsor: Senator Hemstad, putting Arabian horse racing under parimutuel betting system. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brown, Clayton, Cole, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Not attending: Representatives Brekke, Eberle.

Passed to Committee on Rules for second reading.

February 19, 1982

ENGROSSED SENATE BILL NO. 4690, Prime Sponsor: Senator von Reichbauer, recognizing current practices in county road administration. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Hankins, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Garson, Lundquist.

Passed to Committee on Rules for second reading.

February 19, 1982

SENATE BILL NO. 4706, Prime Sponsor: Senator Talley, renaming State Route 504 the Spirit Lake Memorial Highway and correcting its route description. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Hankins, McCormick, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Voting nay: Representative Owen.

Not attending: Representatives Bender, Eberle, Erak, Garson, Lundquist.

Passed to Committee on Rules for second reading.

February 19, 1982

SENATE BILL NO. 4713, Prime Sponsor: Senator Patterson, adjusting the distribution formula for the motor vehicle fund. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Gallagher, Hankins, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Walk.

Voting nay: Representative Erak.

Not signing report: Representatives Eberle, Garrett, Sprague.

Not attending: Representatives Bender, Garson, Lundquist.

Passed to Committee on Rules for second reading.

February 19, 1982

SUBSTITUTE SENATE BILL NO. 4716, Prime Sponsor: Committee on State Government, revising filing procedures, fee schedules, and requirements for laws administered by the secretary of state. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Armstrong, Becker, Bickham, Granlund, Pruitt, Tilly, Tupper, Wang.

Not signing report: Representative Patrick.

Not attending: Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Schmidt, Winsley.

Passed to Committee on Rules for second reading.

February 19, 1982

SUBSTITUTE SENATE BILL NO. 4826, Prime Sponsor: Committee on Transportation, modifying provisions relating to lights on law enforcement vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Hankins, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Garson, Lundquist, Patrick.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, February 23, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FORTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 23, 1982.

The House was called to order at 9:30 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Fiske and Winsley. Representative Fiske was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mike Aires and Kris Mauren. Prayer was offered by The Reverend Lee Forstrom of Westwood Baptist Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE GOVERNOR

February 17, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on February 17, 1982, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 787: Relating to redistricting and reapportionment.

Sincerely,
Marilyn Showalter, Counsel.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1204, by Representatives Brekke and Nelson (D):

AN ACT Relating to mental health services; and adding a new section to chapter 43.20A RCW.

To Committee on Appropriations – Human Services

HOUSE JOINT MEMORIAL NO. 24, by Representatives Berleen, McCormick, Dickie, Brown, Eberle, Owen and Leonard:

Requesting the end of mandatory vehicle emission testing.

To Committee on Transportation

MOTION

On motion of Mr. Nelson (G), the bill and the memorial listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 22, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4545, Prime Sponsor: Committee on Transportation, exempting from the MVET vehicles used exclusively for elderly or handicapped ride-sharing. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11 after "or" insert "not"

On page 1, line 17 after "persons" insert ", including driver"

Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Cantu, Chamberlain, Eberle, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Sherman, Smith.

Not signing report: Representatives Sprague, Walk.

Not attending: Representatives Burns, Erak, Lundquist, Schmidt.

Passed to Committee on Rules for second reading.

February 22, 1982

ENGROSSED SENATE BILL NO. 4547, Prime Sponsor: Senator von Reichbauer, permitting horseless carriage plates to be issued to pre 1941 vehicles. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Cantu, Chamberlain, Eberle, Gallagher, Garrett, Garson, Hankins, McCormick, Owen, Patrick, Prince, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Martinis, Ranking Minority Member; Burns, Erak, Lundquist, Schmidt.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 1149, by Representatives Bond, Galloway, McGinnis, Barrett, Hastings, Patrick, Heck, King (J), Hankins, Salatino, Garrett and McCormick:

Modifying the state fireworks act.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 1149 was substituted for House Bill No. 1149, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1149 was read the second time.

On motion of Mr. Hastings, further consideration of Substitute House Bill No. 1149 was deferred, and the bill was ordered placed on the calendar immediately following House Bill No. 1074.

HOUSE BILL NO. 1074, by Representative Smith:

Authorizing banks or trust companies to make certain investments.

The bill was read the second time.

Committee on Financial Institutions and Insurance recommendation: Do pass with the following amendment:

On page 1, line 7 after "associations" insert ", federal intermediate credit banks"

On motion of Mr. Nelson (G), the committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bickham and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1074, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson.

Not voting: Representatives Brown, Fiske, Salatino, Winsley, and Mr. Speaker.

Engrossed House Bill No. 1074, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1149:

The House resumed consideration of Substitute House Bill No. 1149 on second reading.

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

On page 16, after line 14 strike all of lines 15 and 16 and insert "A local public agency (~~shall not charge more than ten dollars as~~) may provide by ordinance for a permit fee in an amount sufficient to cover

legitimate administrative costs for permit processing and inspection, but in no case to exceed one hundred dollars for any one year."

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Warnke, Williams, Wilson.

Voting nay: Representatives Leonard, Prince, Rosbach, Vander Stoep, Walk.

Not voting: Representatives Fiske, Winsley, and Mr. Speaker.

Engrossed Substitute House Bill No. 1149, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 977, by Representatives King (J), Sanders, Heck, Galloway, Scott, Bender, Owen, Hinc, Salatino, Brown, Wang, King (R), Stratton, Rust, Kaiser, Valle, Maxie, Brekke, Nelson (D), Johnson, Burns, Pruitt and Armstrong:

Enacting the business and industrial development corporations act.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 977 was substituted for House Bill No. 977, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 977 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. King (J) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 977, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson.

Not voting: Representatives Fiske, Winsley, and Mr. Speaker.

Substitute House Bill No. 977, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1145, by Committee on Local Government and Representative Isaacson:

Modifying provisions relating to special purpose districts.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1145, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson.

Not voting: Representatives Fiske, Winsley, and Mr. Speaker.

House Bill No. 1145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1173, by Committee on Local Government and Representatives Isaacson, Hine, Sommers, Cole and Tupper:

Revising laws relating to the board of trustees of a hospital operated under chapter 36.62 RCW.

The bill was read the second time.

Ms. North moved adoption of the following amendment by Representatives North, Isaacson and Hine:

On page 1, line 22 after "located" insert "; PROVIDED, That within one year of the effective date of this act a majority of the members of the board of trustees shall reside outside of the largest city located within the county"

Mr. Pruitt moved adoption of the following amendment to the amendment:

On line 2 of the amendment strike "majority" and insert "one-third"

Mr. Pruitt spoke in favor of the amendment to the amendment, and Ms. North spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Representatives North, Isaacson and Hine to page 1, line 22.

Representatives North and Hine spoke in favor of the amendment, and Mr. Pruitt spoke against it.

The amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1173, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brekke, Eng, Pruitt.

Not voting: Representatives Eberle, Fiske, Sanders, Winsley.

Engrossed House Bill No. 1173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-122, by Representatives Tilly, Kreidler, Bond, Chandler, Greengo, Hastings, James, Johnson, Lewis, Lundquist, Nisbet, Polk, Sanders, Taylor, Tupper, Williams, Wilson, Houchen, Fiske, Thompson and Struthers:

WHEREAS, On February 23, 1982, Rotary International will celebrate the 77th anniversary of its founding; and

WHEREAS, From a modest beginning of four members, Rotary membership has swelled to more than 895,000 members in 156 countries and geographical areas; and

WHEREAS, Rotary and its membership are dedicated to the ideal of service in personal, business, and community life; and

WHEREAS, Rotary is likewise devoted to the promotion of goodwill and peace through a world fellowship of business and professional men united in the ideal of service; and

WHEREAS, The Rotary motto, "service above self," exemplifies the public-spirited orientation of its membership; and

WHEREAS, The state of Washington has greatly benefitted from the existence of Rotary and the active participation of the many members in this state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Rotary International and its members be commended for commitment to service and the public-mindedness that have so benefitted the state of Washington; and

BE IT FURTHER RESOLVED, That Rotary's "Four-Way Test" which asks,

"(1) Is it the truth?

(2) Is it fair to all concerned?

(3) Will it build goodwill and better friendships?

(4) Will it be beneficial to all concerned?"

be a standard recommended for Representatives in their daily activities both in and outside of the Legislature; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk to each Rotary club in this state.

Mr. Tilly moved adoption of the resolution. Representatives Tilly and Kreidler spoke in favor of it.

House Resolution No. 82-122 was adopted.

The Speaker assumed the Chair.

MOTION FOR RECONSIDERATION

Mr. Prince, having served notice on the previous working day, moved that the House now reconsider the vote by which SUBSTITUTE HOUSE BILL NO. 895 failed to pass the House.

Ms. Houchen spoke in favor of the motion, and Mr. Ehlers spoke against it.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Ehlers, you are apparently reading into this bill something I can't find. Could you please point out to me where it prohibits items less than 8-1/2X11?"

Mr. Ehlers: "On page 1, lines 15 through 18, it reads: 'Therefore, it is the purpose of this 1982 act that the state eliminate usage of legal size media and adopt the usage of letter-size media for all state forms, documents, reports or other papers.' While it only eliminates legal size by the fact that the rest of the construction of that sentence says it will adopt letter size media for all state forms, documents, reports or other papers, would imply to me, at least, that there would only be one standard form for all items in the state."

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Ehlers, in your debate earlier on why you were not voting for reconsideration, you made a statement that paperwork is not the cause of the high cost, that labor cost was really the big cost. Is that true?"

Mr. Ehlers: "What I said was that paper cost is the cost actually of paper, not paperwork. When you look at the cost of any kind of printing, my experience has been when we buy from print shops, the cost is set up on the cost of materials and not the paper. At least that's what I've been led to understand when I talked to printers where I have had my items printed. Labor costs, at least on billings I've received are substantially more."

Mr. Hastings: "You said the labor costs were the big costs and not the cost of the paper, is that correct?"

Mr. Ehlers: "That's true."

Ms. Rust spoke against the motion to reconsider the bill.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Ehlers, you've made quite a case about our schedules appearing on legal size paper. Are you familiar with the Senate schedule and do you know what size it is printed on?"

Mr. Ehlers: "Other than the fact it's a violation to talk about the other body, I really don't know or care what they do, frankly. I'm just concerned about our operation, Representative Nisbet, and primarily, I'm concerned about this particular bill which is setting into law something which I think is not very flexible."

Ms. Houchen spoke again in favor of the motion, and Ms. Granlund spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Substitute House Bill No. 895 failed to pass the House, and the motion was carried by the following vote: Yeas, 58; nays, 38; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Warnke.

Not voting: Representatives Fiske, Winsley.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 895.

Representatives Hankins, Isaacson and McGinnis spoke in favor of passage of the bill, and Representatives Heck and Ehlers spoke against it.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Substitute House Bill No. 895, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Addison, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Patrick, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Tilly, Vander Stoep, Wang, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Brekke, Brown, Burns, Cole, Dickie, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McDonald, Mitchell, Monohon, North, O'Brien, Padden, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Warnke, Williams.

Not voting: Representatives Fiske, Winsley.

Substitute House Bill No. 895, having failed to receive the constitutional majority, was declared lost.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, February 24, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FORTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, February 24, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Salatino.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mike Kanyid and Bill Mohler. Prayer was offered by The Reverend Richard Ochiltree of Palisades Retreat House of Federal Way.

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

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1205, by Committee on Revenue and Representative Greengo:

AN ACT Relating to revenue and taxation; adding new sections to chapter 84.28 RCW; adding a new section to chapter 84.33 RCW; creating a new section; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1206, by Committee on Revenue and Representative Tilly:

AN ACT Relating to the taxation of mobile homes, travel trailers, and campers; amending section 1, chapter 266, Laws of 1979 ex. sess. and RCW 82.45.032; amending section 3, chapter 266, Laws of 1979 ex. sess. and RCW 82.08.033; amending section 4, chapter 266, Laws of 1979 ex. sess. and RCW 82.12.033; and amending section 68, chapter 299, Laws of 1971 ex. sess. as amended by section 32, chapter 304, Laws of 1981 and RCW 82.50.530.

To Committee on Revenue

HOUSE BILL NO. 1207, by Representative Lux:

AN ACT Relating to public indebtedness; adding a new section to chapter 39.42 RCW; and adding a new section to chapter 39.44 RCW.

To Committee on State Government

HOUSE BILL NO. 1208, by Representatives Lux, Brown, Eng, Garrett, Bender, Burns, Pruitt and Nelson (D):

AN ACT Relating to unemployment compensation; and amending section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1209, by Representatives Salatino, Mitchell, Stratton, King (J), Houchen, Padden and Thompson:

AN ACT Relating to children and families; and creating new sections.

To Committee on Human Services

HOUSE CONCURRENT RESOLUTION NO. 40, by Representatives Ellis, Barnes, Tupper, Salatino, Schmidt, Pruitt and Monohon:

Creating a Task Force on Utility Rates.

To Committee on Energy and Utilities

MOTIONS

On motion of Mr. Nelson (G), the bills and the resolution on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 23, 1982

HOUSE BILL NO. 1091, Prime Sponsor: Representative Ellis, pertaining to public utility tariffs. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendment:
On page 3, line 25 strike "five hundred" and insert "two hundred and fifty"

Signed by Representatives Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon.

Not attending: Representatives Williams, Chairman; Fiske, Vice Chairman; Rosbach.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 4425, Prime Sponsor: Senator Wojahn: revising the requirement for certain port district elections on the issue of increasing the number of commissioners to five. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, Stratton, Tilly.

Not signing report: Representative North.

Not attending: Representatives Brown, Burns, James, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 4477, Prime Sponsor: Senator Fuller, modifying provisions relating to volunteer work on state park lands. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 23 after "volunteers," strike all material down to and including "preservation," on line 27 and insert "These improvements shall not interfere with access to or use of such public lands or facilities by the general public and shall benefit the public in terms of safety, recreation, aesthetics, or wildlife or natural area preservation. These improvements on public lands and facilities shall be for the use of all members of the general public."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rust, Sprague.

Not signing report: Representatives Hankins, Rinehart.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

February 23, 1982

SENATE BILL NO. 4571, Prime Sponsor: Senator Bluechel, revising procedures for sale of property by port districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, Kreidler, Leonard, North, Stratton, Tilly.

Voting nay: Representatives Lundquist, Vice Chairman; James.

Not attending: Representatives Brown, Burns, Cole, Van Dyken.

Passed to Committee on Rules for second reading.

February 23, 1982

SENATE BILL NO. 4599, Prime Sponsor: Senator Zimmerman, modifying minimum mosquito control districts tax. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly.

Not attending: Representatives Brown, Van Dyken.

Passed to Committee on Rules for second reading.

February 23, 1982

SENATE BILL NO. 4602, Prime Sponsor: Senator Lee, modifying provisions relating to street lighting systems. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, North, Stratton, Tilly.

Voting Nay: Representative Leonard.

Not attending: Representatives Brown, Burns, James, Van Dyken.

Passed to Committee on Rules for second reading.

February 23, 1982

SENATE BILL NO. 4680, Prime Sponsor: Senator Hemstad, requiring the sheriff's civil service commission to schedule hearings and issue written opinions within certain time periods. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly.

Voting nay: Representatives Barrett, Berleen.

Changing vote from nay to aye: Representative Garrett.

Not attending: Representatives Brown, Burns, James, Kreidler, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

February 23, 1982

SENATE BILL NO. 4919, Prime Sponsor: Senator Quigg, making an appropriation to the employment security department. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Passed to Committee on Rules for second reading.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1053, by Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representative Barnes):

Modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

The bill was read the second time.

Mr. Nelson (D) moved adoption of the following amendment by Representatives Nelson (D), Barnes, Wang and Cantu:

On page 2, line 9 beginning with "such" strike all material down to and including "circumstances" on line 9 and insert "a responsive proposal at the lowest price practicable under the circumstances: PROVIDED, That for the purposes of this section the term 'serious financial injury' shall mean that the costs attributable to the delay caused by contracting by sealed bids exceed the cost of materials, supplies, equipment or work to be obtained"

Representatives Nelson (D) and Barnes spoke in favor of the amendment, and it was adopted.

Mr. Nelson (D) moved adoption of the following amendment:

On page 2, beginning on line 21 strike all of subsection (3) and renumber the remaining subsection consecutively.

Mr. Nelson (D) spoke in favor of the amendment, and Mr. Barnes spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) to page 2, line 21 of Substitute House Bill No. 1053, and the amendment was not adopted by the following vote: Yeas, 42; nays, 45; not voting, 11.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Berleen, Brekke, Burns, Chamberlain, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Maxie, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rust, Scott, Sherman, Sommers, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Brown, Chandler, Clayton, Eng, Lux, Nickell, Owen, Rinehart, Salatino, Teutsch, Thompson.

Mr. Armstrong moved adoption of the following amendment:

On page 4, line 12 after "part," strike "to perform added work."

Representatives Armstrong and Nelson (D) spoke in favor of the amendment, and Representatives Cantu and Barnes spoke against it.

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

Mr. Barnes again opposed the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Armstrong to Substitute House Bill No. 1053, and the amendment was adopted by the following vote: Yeas, 64; nays, 28; not voting, 6.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Berleen, Bickham, Brekke, Burns, Chamberlain, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Patrick, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Sprague, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bond, Cantu, Clayton, Dickie, Fancher, Flanagan, Hankins, Hastings, Houchen, Isaacson, James, Lundquist, McCormick, Mitchell, Nickell, Prince, Rosbach, Sanders, Smith, Stratton, Struthers, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Brown, Chandler, Dawson, Owen, Salatino, Thompson.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Barnes and Cantu:

On page 3, at the beginning of line 18 strike "may" and insert "shall"

On page 3, line 18 after "corporation" strike "shall"

Representatives Wang and Cantu spoke in favor of the amendments, and they were adopted.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1053 was deferred.

HOUSE BILL NO. 1012, by Committee on Appropriations—General Government and Representative Williams:

Authorizing fees for surveys and maps supplied from DNR.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1012 was substituted for House Bill No. 1012, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1012 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Williams, what is the fiscal loss to the general fund in this bill?"

Mr. Williams: "The general fund will gain money as the program expands. Specifically, we are gaining revenue of \$121,500."

Mr. Ehlers: "According to my fiscal note, the general fund will lose \$40,000 the second year and a six-year total loss to the general fund of \$221,000, although there is an increase in the dedicated fund, but not in the general fund."

Mr. Williams: "Your fiscal note, Representative Ehlers, shows a negative expenditure, which is a reduction of expenditures of \$684,274."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Wärnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Ehlers, Garrett.

Not voting: Representatives Chandler, Owen, Salatino, Smith, Thompson.

Substitute House Bill No. 1012, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1072, by Committee on Institutions and Representatives Ellis and Vander Stoep:

Designating a portion of a state-employed chaplain's salary as rental value for a home.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1072, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Wärnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Clayton, Cole, Dickie, Ehlers, Lux, Nickell, Owen.

Not voting: Representatives Chandler, Salatino, Thompson, Tilly.

House Bill No. 1072, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1134, by Committee on Local Government and Representative Lundquist:

Modifying provisions relating to the division of land.

The bill was read the second time. On motion of Mr. Lundquist, Substitute House Bill No. 1134 was substituted for House Bill No. 1134, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1134 was read the second time.

On motion of Ms. Hine, the following amendment by Representatives Hine and Lundquist was adopted:

On page 5, line 35 after "approved" insert ". This retroactive application shall not create a total time period in excess of the three years, plus one year and other additional time periods, authorized in this section during which a final plat must be submitted for approval"

Ms. Hine moved adoption of the following amendment:

On page 7, line 8 beginning with "Any" strike all language down to and including "subdivision" on line 10 and insert "Any person who deems himself aggrieved thereby and who will be adversely affected by the proposed subdivision"

Ms. Hine spoke in favor of the amendment, and Mr. Barrett spoke against it.

Ms. Hine spoke again in favor of the amendment, and Representatives James and Lundquist spoke against it.

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brekke, Brown, Burns, Cole, Ehlers, Eng, Kaiser, Kreidler, Lux, Nelson D., North, Rinchart, Rust, Sherman.

Not voting: Representatives Chandler, Salatino.

Engrossed Substitute House Bill No. 1134, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 941, by Committee on Appropriations – General Government (originally sponsored by Representatives McGinnis and Williams – by Governor Spellman request):

Establishing an office of information systems.

The bill was read the second time.

On motion of Mr. Williams, the following amendment by Representatives Williams and Ehlers was adopted:

On page 10, line 12 strike "legislative and judicial branches of state government and the"

On page 16 after line 16 insert the following:

"NEW SECTION. Sec. 20. There is added to chapter 43.105 RCW a new section to read as follows:

The legislative branch of state government, including the legislative information system, and the judicial branch of state government, including the judicial information system, may avail themselves of the advice and services of the office of information systems, but shall not be subject to its jurisdiction in any respect nor to any of the provisions of this chapter, as now or hereafter amended."

Renumber the remaining sections consecutively and correct internal references accordingly.

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

On page 4, line 17 after "government" insert "except the department of transportation"

Representatives Wilson and Martinis spoke in favor of the amendment, and Representatives Williams, McGinnis, James, Monohon, Thompson and Teutsch spoke against it.

Mr. Wilson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Wilson and Prince to Engrossed Second Substitute House Bill No. 941, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Bond, Cantu, Chamberlain, Clayton, Dawson, Eberle, Ellis, Erak, Fancher, Gallagher, Greengo, Hankins, Hastings, Houchen, Kreidler, Leonard, Lundquist, Martinis, McCormick, McDonald, Nelson G. A., Nickell, O'Brien, Prince, Rosbach, Schmidt, Scott, Smith, Sprague, Struthers, Taylor, Tupper, Van Dyken, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cole, Dickie, Ehlers, Eng, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lux, Maxie, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, North, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Sanders, Sherman, Sommers, Teutsch, Thompson, Tilly, Valle, Vander Stoep, Wang, Williams, Winsley.

Not voting: Representatives Chandler, Salatino, Stratton.

The bill was ordered reengrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1080, by Representatives Struthers, Williams, Granlund, Hastings, Van Dyken and Sprague:

Providing for distribution of session laws and House and Senate journals.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1080, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Salatino.

House Bill No. 1080, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 950, by Representatives Berleen and Kaiser (by Governor Spellman request):

Modifying provisions relating to the health care facilities authority.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Berleen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 950, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Chandler, Salatino, and Mr. Speaker.

House Bill No. 950, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 915, by Committee on Transportation and Representatives Ellis, Wilson and Johnson:

Exempting used cars sold by a dealer from emission control testing.

The bill was read the second time.

On motion of Ms. Valle, the following amendments by Representatives Valle and Wilson were adopted:

On page 2, after line 23 add a new section as follows:

"Sec. 2. Section 1, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.010 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of ecology.

(2) 'Director' means the director of the department of ecology.

(3) 'Fleet' means a group of (~~twenty-five~~) five or more motor vehicles owned or leased concurrently by one person.

(4) 'Motor vehicle' means any self-propelled vehicle required to be licensed pursuant to chapter 46.16 RCW.

(5) 'Motor vehicle dealer' means a motor vehicle dealer, as defined in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW.

(6) 'Person' means an individual, firm, public or private corporation, association, partnership, political subdivision of the state, municipality, or governmental agency.

(7) The terms 'air contaminant,' 'air pollution,' 'air quality standard,' 'ambient air,' 'emission,' and 'emission standard' have the meanings given them in RCW 70.94.030."

Remember the remaining sections consecutively.

On page 1, line 4 of the title after "RCW 46.16.015;" insert "amending section 1, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.010;"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1023, by Representatives Erak, Wilson, Thompson, Williams, Rust, Greengo, Galloway, Sommers and Flanagan:

Increasing the fee for driving record abstracts.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1023, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Eng.

Not voting: Representatives Chandler, Salatino.

House Bill No. 1023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 836, by Committee on State Government and Representatives Addison, Nisbet, Mitchell and Sprague:

Studying the feasibility of veterans' memorial parks and cemeteries:

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Tupper spoke against passage of the bill, and Mr. Nisbet spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 836, and the bill passed the House by the following vote: Yeas, 74; nays, 20; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Cole, Dawson, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lundquist, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Clayton, Dickie, Greengo, King J., Lewis, Lux, McDonald, Padden, Pruitt, Rust, Schmidt, Sherman, Sömmers, Teutsch, Tupper, Valle, Wang.

Not voting: Representatives Chandler, Eng, Salatino, Thompson.

House Bill No. 836, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 765, by Committee on Revenue and Representative Greengo (by Department of Revenue request):

Modifying the excise tax registration fee.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 765, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Salatino.

House Bill No. 765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1078, by Representatives Prince, Grimm and Amen:

Appropriating funds for a waste water treatment plant at Washington State University.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1078, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Salatino.

House Bill No. 1078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3549, by Committee on Transportation (originally sponsored by Senator Metcalf):

Impounding vehicles driven by unlicensed drivers.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3549, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Salatino.

Engrossed Substitute Senate Bill No. 3549, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4468, by Senator Scott:

Revising laws concerning authorized deductions of retirement pay.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

MOTION

On motion of Mr. Nelson (G), further consideration of Senate Bill No. 4468 was deferred.

SUBSTITUTE SENATE BILL NO. 3679, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Sellar):

Permitting savings banks to pay interest and dividends from their guarantee funds under certain conditions.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3679, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Flanagan.

Not voting: Representatives Chandler, Salatino.

Substitute Senate Bill No. 3679, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4437, by Committee on Agriculture (originally sponsored by Senators Hansen and Goltz):

Modifying the laws governing commission merchants and dealers of agricultural products.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 19, 1982.)

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

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

Representatives Smith and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4437 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Eberle, Salatino, Sanders.

Substitute Senate Bill No. 4437 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED SENATE BILL NO. 3737, by Senators Lee, Goltz and Haley:

Modifying the administration of winter recreation activities.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 3737, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Grimm, James, Sanders, Walk.

Not voting: Representatives Chandler, Salatino.

Reengrossed Senate Bill No. 3737, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3743, by Committee on Ways and Means (originally sponsored by Senators Gallagher, Rasmussen and Scott - by Department of Retirement request):

Modifying the judicial retirement for disability statutes.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 19th Day, January 29, 1982.)

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3743 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Chandler.

Substitute Senate Bill No. 3743 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

February 24, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 833,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 833.

MOTION

On motion of Mr. Nelson (G), Substitute House Bill No. 833 was ordered immediately transmitted to the Senate.

SENATE BILL NO. 4635, by Senators Bluechel and Gaspard (by Department of Retirement Systems request):

Revising laws relating to LEOFF.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4635, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Chandler.

Senate Bill No. 4635, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4439, by Committee on Agriculture (originally sponsored by Senator Hansen):

Changing maximum cattle assessments.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 19, 1982.)

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

Substitute Senate Bill No. 4439 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 4636, by Senators Bluechel, Gaspard and Zimmerman (by Department of Retirement Systems request):

Revising laws relating to correction of errors made under retirement systems.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4636, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Chandler.

Senate Bill No. 4636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), ENGROSSED SENATE BILL NO. 4640 was rereferred from Committee on Rules to Committee on Ways and Means.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1147 and HOUSE BILL NO. 1164 were rereferred from Committee on Revenue to Committee on Appropriations - Human Services.

On motion of Mr. Nelson (G), the House was recessed until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker. The Clerk called the roll and all members were present.

MESSAGE FROM THE SENATE

February 24, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 833,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1210, by Representatives Thompson, Ellis, Monohon, King (J), Barnes, Mitchell, Ehlers, Taylor, Johnson, Teutsch, Addison, Van Dyken, Tupper, Williams, Rosbach, Greengo, Walk, Kaiser and Patrick:

AN ACT Relating to citizen participation in public utility districts; adding a new chapter to Title 54 RCW; creating a new section; and declaring an emergency.

To Committee on Energy and Utilities

HOUSE BILL NO. 1211, by Committee on Revenue and Representative Sanders:

AN ACT Relating to property tax payments; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 322, Laws of 1981 and RCW 84.56.020; amending section 84.56.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 10, Laws of 1975-76 2nd ex. sess. and RCW 84.56.010; amending section 84.56.070, chapter 15, Laws of 1961 and RCW 84.56.070; amending section 84.60.050, chapter 15, Laws of 1961 as last amended by section 2, chapter 260, Laws of 1971 ex. sess. and RCW 84.60.050; and providing an effective date.

To Committee on Revenue

HOUSE JOINT MEMORIAL NO. 25, by Representatives Pruitt, Teutsch, Brekke, Nisbet, Kreidler, Dawson and Wang:

Requesting continuation of federal assistance for refugees.

To Committee on Appropriations - Human Services

MOTION

On motion of Mr. Nelson (G), the bills and the memorial listed on today's supplemental agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 23, 1982

ENGROSSED SENATE BILL NO. 3156, Prime Sponsor: Senator Williams, considering renewable energy systems in the design of public buildings. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 5 after "September 1," strike "1981" and insert "1982"

Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Hine, McCormick, Scott, Sherman, Tupper, Vander Stoep, Wang.

Voting nay: Representative Isaacson.

Not attending: Representatives Bond, Eberle, Schmidt, Sprague, Vander Stoep.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 3242, Prime Sponsor: Senator Craswell, making miscellaneous changes in law relating to education. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 28A.59.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 118, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.59.150 are each amended to read as follows:

All accounts shall be audited by a committee of board members chosen in such manner as the board so determines to be styled the 'auditing committee,' and, except as otherwise provided by law, no expenditure greater than three hundred dollars shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on a recorded affirmative vote of a majority of all members of the board: PROVIDED, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department as otherwise provided in RCW 28A.58.135(~~and the accounts and the records of said board shall at all times be subject to the inspection and examination of the educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records~~)).

Sec. 2. Section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328 are each amended to read as follows:

Second class school districts, subject to the approval of the superintendent of public instruction, may draw and issue warrants for the payment of moneys upon approval of a majority of the board of directors, such warrants to be signed by the chairman of the board and countersigned by the secretary: PROVIDED, That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the chairman of the board personally imposes too great a task on the chairman, the board of directors, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the chairman of the board, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn; thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants.

~~((Accounts and the records of second class school districts drawing and issuing warrants as provided in this section shall at all times be subject to the inspection and examination of the "educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records:))~~

Sec. 3. Section 16, chapter 176, Laws of 1969 ex. sess. as last amended by section 32, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.160 are each amended to read as follows:

All funds under the control of the office of each educational service district shall be combined into the educational service district general expense fund and deposited in the office of the county treasurer of the county in which the educational service district headquarters office is located: PROVIDED, That funds under the control of an educational service district may be placed in one or more special purpose funds in the office of the county treasurer as now or hereafter authorized by rule or regulation of the superintendent of public instruction. The superintendent of public instruction, by rule or regulation, shall establish the standards, conditions and procedures governing the establishment and use of general expense and special purpose funds by educational service districts, including transfers from one fund to another, and shall provide by an established formula for the proper distribution of moneys received from the county current expense fund, the county institute fund, and the county circulating library fund in those counties which are a part of two or more educational service districts. In case the boundaries of any of the educational service districts are changed, the superintendent of public instruction shall order an equitable transfer of such funds from one educational service district to another which the superintendent of public instruction deems necessary to adjust for the increase and decrease in the operating costs of the respective districts for the balance of the fiscal year and shall certify to the county ~~((commissioners))~~ legislative authority of the affected counties a new ratio for the appropriation of funds to the general expense funds of two or more educational service districts under RCW 28A.21.180, as now or hereafter amended.

Sec. 4. Section 28A.57.255, chapter 223, Laws of 1969 ex. sess. as last amended by section 97, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.57.255 are each amended to read as follows:

The registered voters residing within a joint school district shall be entitled to vote on the office of school director of their district ~~((and on the office of their educational service district board member))~~.

Jurisdiction of any such election shall rest with the county auditor of the county administering such joint district as provided in RCW 28A.57.250.

At each general election, or upon approval of a request for a special election as provided for in RCW 29.13.020, such county auditor shall:

- (1) See that there shall be at least one polling place in each county;
- (2) At least twenty days prior to the elections concerned, certify in writing to the superintendent of the school district the number and location of the polling places established by such auditor for such regular or special elections; and
- (3) Do all things otherwise required by law for the conduct of such election.

It is the intention of this section that the qualified electors of a joint school district shall not be forced to go to a different polling place on the same day when other elections are being held to vote for school directors of their district ~~((and members of the educational service district board concerned with their school district))~~.

NEW SECTION. Sec. 5. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Cantu, Dickie, Eng, Galloway, Hine, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Not attending: Representatives Eberle, Ellis, James.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 3310, Prime Sponsor: Senator Gould, confirming rules adopted as standards for energy use in buildings. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 4 after "rule." insert "The chairpersons of the senate and house energy and utilities committees shall serve as ex officio members of the advisory council for purposes of this section."

Signed by Representatives Barnes, Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Hine, McCormick, Scott, Sherman, Tupper, Vander Stoep, Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Cantu, Vice Chairman; Bond, Dickie, Eberle, Isaacson, Schmidt, Sprague.

Not attending: Representative Sprague.

Passed to Committee on Rules for second reading.

February 24, 1982

SENATE BILL NO. 3425, Prime Sponsor: Senator Moore, defining the milling of uranium and thorium. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Houchen, Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang, Winsley.

Not attending: Representatives Fiske, Houchen, King (J), Teutsch, Winsley.

Passed to Committee on Rules for second reading.

February 23, 1982

SECOND SUBSTITUTE SENATE BILL NO. 3541, Prime Sponsor: Committee on Education, authorizing administration of oral medication by common school and private school personnel. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 31 after "professional" insert "person"

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Armstrong, Bender, Cantu, Eng, Galloway, Hine, Lewis, McDonald, Vander Stoep, Warnke.

Voting nay: Representative Dickie.

Not attending: Representatives Valle, Ranking Minority Member; Eberle, Ellis, James, Maxie.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 3609, Prime Sponsor: Senator Bauer, establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8 after "Section 1." strike everything through line 16 and insert "Washington's citizens have long placed a high value on a system of education that contributes to individual development, to the health of communities, and to the quality of life in the state as a whole. While many excellent programs exist, there is need to build public confidence in the ability of the education system to amply educate students. The legislature has evidence of a lack of coordination between education institutions, a weak response to the progressive academic and vocational needs of students, an unclear statement as to roles and missions, an inconsistency between programs, duplications of effort, and inefficient uses of public dollars. The possibilities for improving this structure require comprehensive examination."

On page 3, after line 15 insert a new subsection as follows:

"(6) An emphasis on the education of children in kindergarten through second grade, with particular reference to new information and research on the effectiveness of early childhood education;"

Remember the remaining subsections.

On page 3, line 27 before "The committee's" insert "The committee's first responsibilities shall be to identify priority areas and to prepare to address them in a phased-in manner. Furthermore, as areas are addressed, the committee shall seek out and highlight programs that are working and shall also rely upon testimony and reports from those who have studied or who now are studying education in Washington."

On page 4, beginning on line 3 strike everything through line 5 and insert "The committee shall establish advisory committees and task forces, as it may deem necessary, to assist it in the fulfillment of its duties and to ensure that the products reflect a broad consensus and earn a sizable constituency."

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Armstrong, Bender, Eng, Galloway, Hine, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Voting nay: Representatives Cantu, Dickie, Vander Stoep.

Not attending: Representatives Valle, Ranking Minority Member; Eberle, Ellis, James.

Passed to Committee on Rules for second reading.

February 23, 1982

SUBSTITUTE SENATE BILL NO. 3617, Prime Sponsor: Committee on Education, implementing law relating to use of associated student body funds. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Armstrong, Bender, Dickie, Eng, Galloway, Hine, Lewis, McDonald.

Voting nay: Representatives Cantu, Warnke.

Not attending: Representatives Valle, Ranking Minority Member; Eberle, Ellis, James, Maxie, Vander Stoep.

Passed to Committee on Rules for second reading.

February 24, 1982

ENGROSSED SENATE BILL NO. 4549, Prime Sponsor: Senator von Reichbauer, amending the transportation budget. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garson, Hankins, McCormick, Patrick, Sherman, Smith, Walk.

Not signing report: Representatives Martinis, Ranking Minority Member; Garrett, Schmidt.

Not attending: Representatives Eberle, Lundquist, Owen, Prince, Sprague.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 4558, Prime Sponsor: Senator Quigg, modifying industrial insurance coverage for owner-operators of trucks. Reported by Committee on labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Not attending: Representative Brown.

Passed to Committee on Rules for second reading.

February 24, 1982

SENATE BILL NO. 4619, Prime Sponsor: Senator Metcalf, requiring dissemination to doctors information on certain health problems. Reported by Committee on Human Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 5 after "all" insert "licensed" and on line 6 after "centers" strike "licensed"

Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman; Kreidler, Ranking Minority Member; Cole, Houchen, Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang, Winsley.

Not attending: Representatives Fiske, King (J), Stratton.

Passed to Committee on Rules for second reading.

February 24, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4692, Prime Sponsor: Committee on Transportation, implementing a program of motorcycle operator training and safety education. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garson, Hankins, McCormick, Patrick, Schmidt, Sherman, Smith, Walk.

Not signing report: Representative Garrett.

Not attending: Representatives Eberle, Lundquist, Owen, Prince, Sprague.

Passed to Committee on Rules for second reading.

February 23, 1982

ENGROSSED SENATE BILL NO. 4748, Prime Sponsor: Senator Benitz, permitting breweries and wineries to conduct courses in beer and wine. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Section 1. There is added to chapter 66.28 RCW a new section to read as follows:

A brewery, winery, or wholesaler may, without charge, instruct licensees and their employees, or conduct courses of instruction for licensees and their employees, on the subject of beer or wine, including but not limited to, the history, nature, values, and characteristics of beer or wine, the use of wine lists, and the methods of presenting, serving, storing, and handling beer or wine. The brewery, winery, or wholesaler may furnish beer or wine and such other equipment, materials, and utensils as may be required for use in connection with the instruction or courses of instruction. The instruction or courses of instruction may be given at the premises of the brewery, winery, or wholesaler, at the premises of a retail licensee, or elsewhere.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section shall prevent the furnishing of samples of liquor to the board for the purpose of negotiating the sale of liquor to the state liquor control board; nothing in this section shall prevent a brewery, winery, or wholesaler from furnishing beer or wine for instructional purposes under section 1 of this 1982 act; nothing in this section shall prevent a winery or wholesaler from furnishing wine without charge to a not-for-profit group organized and operated solely for the purpose of ecology or the study of viticulture which has been in existence for at least six months and any wine so furnished shall be used solely for such educational purposes, provided that the wine furnished shall be subject to the taxes imposed by RCW 66.24.210; nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises; and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises."

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Not attending: Representative Brown.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, February 25, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

FORTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, February 25, 1982.

The House was called to order at 9:30 a.m. by the Speaker.

MESSAGES FROM THE SENATE

February 24, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 720,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 24, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3549,
 SUBSTITUTE SENATE BILL NO. 3679,
 SENATE BILL NO. 3737,
 SENATE BILL NO. 4635,
 SENATE BILL NO. 4636,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

February 24, 1982

SUBSTITUTE SENATE BILL NO. 3946, Prime Sponsor: Committee on Transportation, modifying the aircraft fuel excise tax. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 27 after "June 30," strike "1981" and insert "1982"

Signed by Representatives Wilson, chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Burns, Cantu, Chamberlain, Erak, Gallagher, Garson, Schmidt, Sherman, Smith.

Voting nay: Representatives Garrett, Hankins, Patrick, Prince, Walk.

Not signing report: Representatives Bender, McCormick.

Not attending: Representatives Eberle, Lundquist, Owen, Sprague.

Passed to Committee on Rules for second reading.

February 24, 1982

SUBSTITUTE SENATE BILL NO. 4153, Prime Sponsor: Committee on Judiciary, permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang, Winsley.

Not attending: Representative Ellis, Chairman; Armstrong, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 24, 1982

ENGROSSED SENATE BILL NO. 4470, Prime Sponsor: Senator Clarke, modifying provisions relating to pistols. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang, Winsley.

Not signing report: Representatives Salatino, Ranking Minority Member; Becker.

Not attending: Representative Ellis, Chairman; Armstrong, Tilly.

Passed to Committee on Rules for second reading.

February 24, 1982

SENATE BILL NO. 4491, Prime Sponsor: Senator Clarke, permitting state appeals court judges to serve as judges pro tempore of the state supreme court. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang, Winsley.

Not attending: Representative Ellis, Chairman; Armstrong, Tilly, Winsley.

Passed to Committee on Rules for second reading.

February 24, 1982

SENATE BILL NO. 4512, Prime Sponsor: Senator Clarke, modifying the liability of railroad company employees. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang, Winsley.

Not attending: Representative Ellis, Chairman; Armstrong, Tilly.

Passed to Committee on Rules for second reading.

February 24, 1982

SENATE BILL NO. 4516, Prime Sponsor: Senator Talmadge, modifying provisions relating to garnishment. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Vice Chairman; Salatino, Ranking Minority Member; Becker, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tupper, Wang, Winsley.

Not attending: Representative Ellis, Chairman; Armstrong, Tilly.

Passed to Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 720,
 SUBSTITUTE SENATE BILL NO. 3549,
 SUBSTITUTE SENATE BILL NO. 3679,
 SENATE BILL NO. 3737,
 SENATE BILL NO. 4635,
 SENATE BILL NO. 4636.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m. Friday, February 26, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 26, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eberle and Winsley. Representative Eberle was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lynette Landers and Julie Erickson. Prayer was offered by The Reverend Lee Forstrom of the Westwood Baptist Church of Olympia.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGES FROM THE GOVERNOR

February 25, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on February 25, 1982, Governor Spellman approved the following House Bills, entitled:

THIRD SUBSTITUTE HOUSE BILL NO. 179: Relating to the prevention of child abuse and neglect;

SUBSTITUTE HOUSE BILL NO. 833: Relating to savings and loan associations.

Sincerely,
Marilyn Showalter, Counsel.

February 26, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on February 26, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 385: Relating to administrative rules; regulatory fairness act.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

February 25, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 720,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 25, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 884,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 24, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 4046,
 SUBSTITUTE SENATE BILL NO. 4605,
 ENGROSSED SENATE BILL NO. 4612,
 SENATE BILL NO. 4726,
 SUBSTITUTE SENATE BILL NO. 4859,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1212, by Representatives Wang, Scott, Nelson (D), Hine, Sprague, Erak, Sherman, Monohon, Ehlers and Gallagher:

AN ACT Relating to electrical rates; and adding a new chapter to Title 80 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1213, by Select Committee on Deregulation and Productivity and Representative Williams:

AN ACT Relating to legislative reorganization; and creating a new section.

To Select Committee on Deregulation and Productivity

HOUSE BILL NO. 1214, by Committee on Revenue and Representative Flanagan:

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 49, chapter 37, Laws of 1980 as last amended by section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; amending section 76, chapter 37, Laws of 1980 as amended by section 4, chapter 86, Laws of 1980 and RCW 82.12.0278; declaring an emergency; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1215, by Committee on Revenue and Representative Greengo:

AN ACT Relating to horse racing; adding a new section to chapter 67.16 RCW; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1216, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to private sector services; and amending section 1, chapter 46, Laws of 1979 ex. sess. and RCW 28B.16.240.

To Committee on Ways and Means

HOUSE BILL NO. 1217, by Representatives Williams, Vander Stoep and Tupper:

AN ACT Relating to joint operating agencies; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; adding new sections to chapter 43.52 RCW; creating a new section; repealing section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; and declaring an emergency.

To Select Committee on Deregulation and Productivity

HOUSE CONCURRENT RESOLUTION NO. 41, by Representatives Hastings, Williams and Hankins:

Providing for the liquidation of certain surplus state property.

To Committee on Appropriations - General Government

HOUSE CONCURRENT RESOLUTION NO. 42, by Representatives Rosbach, Martinis, Nisbet, Owen, Lundquist, North, Chamberlain, Stratton, Vander Stoep, Mitchell, Dawson, Erak, Barr and Garson:

Requesting modification of state timber sales procedures.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE BILL NO. 4046, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying testing procedures for brucellosis adult vaccinated cattle.

To Committee on Agriculture

SUBSTITUTE SENATE BILL NO. 4605, by Committee on Ways and Means (originally sponsored by Senator Scott):

Authorizing the department of revenue to contract for out-of-state auditing service.

To Committee on Ways and Means

ENGROSSED SENATE BILL NO. 4612, by Senators Gallagher, Vognild and Haley:

Authorizing private salmon release-recapture facilities.

To Committee on Natural Resources and Environmental Affairs

SENATE BILL NO. 4726, by Senators Goltz, Gallagher and Peterson:

Modifying provisions relating to game licenses.

To Committee on Natural Resources and Environmental Affairs

SUBSTITUTE SENATE BILL NO. 4859, by Committee on Local Government (originally sponsored by Senators Guess, McCaslin, Hurley and Moore):

Permitting prepayment of retail sales and use taxes imposed by cities, counties, and metropolitan municipal corporations.

To Committee on Local Government

MOTIONS

Mr. Nelson (G), moved that the bills and resolutions listed on today's agenda under the fourth order of business be considered first reading and be referred to the committees designated.

Mr. Heck moved that the motion be amended and **HOUSE BILL NO. 1217** be referred to Committee on Energy and Utilities.

Mr. Heck spoke in favor of the motion and Mr. Nelson (G) spoke against it. The motion was lost.

Mr. Heck moved that the motion by Mr. Nelson (G), be amended and **HOUSE BILL NO. 1213** be referred to Committee on Rules.

Mr. Heck spoke in favor of the motion to amend the Nelson (G) motion, and Mr. Nelson (G) spoke against it. The motion was lost.

The motion by Mr. Nelson (G) was carried.

REPORTS OF STANDING COMMITTEES

February 25, 1982

HOUSE BILL NO. 1148, Prime Sponsor: Representative Lundquist, providing for the termination of certain state timber sales contracts. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rosbach, Chairwoman; North, Ranking Minority Member; Brekke, Dawson, Erak, Garson, Lundquist, Martinis, Mitchell, Owen, Thompson, Valle, Williams, Wilson.

Voting nay: Representatives Addison, Barr, McDonald, Nickell, Rinehart.

Not voting: Representative Chamberlain, Vice Chairman.

Not signing report: Representative Stratton.

Passed to Committee on Rules for second reading.

February 25, 1982

SENATE BILL NO. 3394, Prime Sponsor: Senator Goltz, increasing the tax credit for cogeneration facilities. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 at the beginning of the line strike "issuance of the certificate" and insert "signing of the construction contract"

On page 2, after line 9 insert the following:

*Sec. 2. Section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030 are each amended to read as follows:

(1) An application for a certificate shall be filed with the department. The application shall contain the estimated or actual cost, plans, and specifications of the cogeneration facility, including all materials incorporated or to be incorporated therein, and a list describing and showing all expenditures made by the applicant for the purpose of cogeneration, together with the operating procedure for the facility, and if the facility has not been constructed, a time schedule for the acquisition and installation or attachment of the cogeneration facility and the proposed operating procedure for the cogeneration facility.

(2) The department shall provide a copy of the application to the energy office within ten days after receipt thereof. Within sixty days after receipt of the application from the department, the office shall approve the application but only if it first determines that construction of the cogeneration facility began or will begin after September 1, ((1979)) 1975, that the cogeneration facility is designed and is operated or will be operated primarily for cogeneration, and that the cogeneration facility is suitable, reasonably adequate, and meets the intent and purposes of this chapter.

(3) Within ten days after approval of the application, the office shall provide a copy thereof to the department. Within thirty days after receipt thereof the department shall issue the certificate but only if it finds that the cost data in the application is accurate.

If the application contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(4) The department, with the approval of the office, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the office and the department. An applicant shall have the opportunity for a hearing before the office and the department in respect to their respective decisions granting or denying approval or certification.

This section shall expire on December 31, 1984.

NEW SECTION. Sec. 3. Section 2 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, strike "and" and on line 2, after "82.35.050" insert "; amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030; and declaring an emergency"

Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Bender, Dickie, Hine, Scott, Sherman, Sprague, Tupper, Vander Stoep.

Voting nay: Representatives Nelson (D), Ranking Minority Member; Armstrong, Isaacson.

Not attending: Representatives Bond, Eberle, McCormick, Schmidt, Wang.

Passed to Committee on Rules for second reading.

February 25, 1982

SENATE BILL NO. 4307, Prime Sponsor: Senator Guess, modifying civil service provisions relating to state park rangers. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Greengo, Hankins, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representatives Walk, Ranking Minority Member; Erak, Johnson, Nelson (D).

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4683, Prime Sponsor: Committee on Constitutions and Elections, authorizing exemption from public disclosure for files listing names of users of library materials. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 31, chapter 1, Laws of 1973 as last amended by section 13, chapter 314, Laws of 1977 ex. sess. and RCW 42.17.310 are each amended to read as follows:

(1) The following shall be exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would violate the taxpayer's right to privacy or would result in unfair competitive disadvantage to such taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property: PROVIDED, That if at the time the complaint is filed the complainant indicates a desire for disclosure or nondisclosure, such desire shall govern: PROVIDED, FURTHER, That all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records, exempt under the provisions of this section, may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records, is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld."

In line 1 of the title, after "section" strike the remainder of the title and insert "31, chapter 1, Laws of 1973 as last amended by section 13, chapter 314, Laws of 1977 ex. sess. and RCW 42.17.310."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Greengo, Hankins, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust.

Voting nay: Representative Sprague.

Not attending: Representatives Walk, Ranking Minority Member; Erak, Johnson, Nelson (D).

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4684, Prime Sponsor: Committee on Agriculture, authorizing the director of agriculture to take emergency measures against plant pests and diseases. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.06.010, chapter 8, Laws of 1965 as last amended by section 4, chapter 53, Laws of 1979 ex. sess. and RCW 43.06.010 are each amended to read as follows:

In addition to those prescribed by the Constitution, the governor may exercise the powers and perform the duties prescribed in this and the following sections:

(1) The governor shall supervise the conduct of all executive and ministerial offices;

(2) The governor shall see that all offices are filled, and the duties thereof performed, or in default thereof, apply such remedy as the law allows; and if the remedy is imperfect, acquaint the legislature therewith at its next session;

(3) The governor shall make the appointments and supply the vacancies mentioned in this title;

(4) The governor is the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States;

(5) Whenever any suit or legal proceeding is pending against this state, or which may affect the title of this state to any property, or which may result in any claim against the state, the governor may direct the attorney general to appear on behalf of the state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(6) The governor may require the attorney general or any prosecuting attorney to inquire into the affairs or management of any corporation existing under the laws of this state, or doing business in this state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;

(7) The governor may require the attorney general to aid any prosecuting attorney in the discharge of his duties;

(8) The governor may offer rewards, not exceeding one thousand dollars in each case, payable out of the state treasury, for information leading to the apprehension of any person convicted of a felony who has escaped from a state correctional institution or for information leading to the arrest of any person who has committed or is charged with the commission of a felony;

(9) The governor shall perform such duties respecting fugitives from justice as are prescribed by law;

(10) The governor shall issue and transmit election proclamations as prescribed by law;

(11) The governor may require any officer or board to make, upon demand, special reports to the governor, in writing;

(12) The governor may, after finding that a public disorder, disaster, energy emergency, or riot exists within this state or any part thereof which affects life, health, property, or the public peace, proclaim a state of emergency in the area affected, and the powers granted the governor during a state of emergency shall be effective only within the area described in the proclamation;

(13) The governor shall, when appropriate, submit to the select joint committee created by RCW 43.131.20, lists of state agencies, as defined by RCW 43.131.030, which agencies might appropriately be scheduled for termination by a bill proposed by the select joint committee;

(14) The governor may, after finding that there exists within this state an imminent danger of infestation of plant pests as defined in RCW 17.24.005 or plant diseases which seriously endangers the agricultural or horticultural industries of the state of Washington, or which seriously threatens life, health, or economic well-being, order emergency measures to prevent or abate the infestation or disease situation, which measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides.

NEW SECTION. Sec. 2. There is added to chapter 17.24 RCW a new section to read as follows:

(1) If the director of agriculture of the state of Washington determines that there exists an imminent danger of an infestation of plant pests or plant diseases which seriously endangers the agricultural or horticultural industries of the state of Washington, or which seriously threatens life, health, or economic well-being, he shall request the governor to order emergency measures to control the pests or plant diseases pursuant to RCW 43.06.010(14). The director's findings shall contain an evaluation of the effect of the emergency measures upon public health.

(2) The director shall appoint a committee to advise him in the development of the criteria for determining when an emergency situation exists and the procedure for implementing emergency measures. The committee shall report back to the director within one hundred twenty days of the effective date of this act. The committee shall review emergency measures performed under the authority of RCW 43.06.010(14) and this section and make subsequent recommendations to the director. The committee shall include representatives of the agricultural industries, state and local government, public health interests, technical service providers, and environmental organizations. The public shall have access to the recommendations of the committee.

(3) Upon the order of the governor of the use of emergency measures, the director is authorized to apply such emergency measures to prevent, control, or eradicate plant pests or plant diseases that are now established or may later become established and that may seriously endanger the agricultural or horticultural industries, or which seriously threaten life, health, or economic well-being of the state of Washington. Such measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides.

(4) Upon the order of the governor of the use of emergency measures, the director is authorized to enter into agreements with individuals and/or companies to accomplish the prevention, control, or eradication of plant pests or plant diseases, notwithstanding the provisions of chapter 15.58 RCW or chapter 17.21 RCW or any other statute.

(5) The director shall continually evaluate the emergency measures taken and report to the governor at intervals of not less than ten days. The director shall immediately advise the governor if he finds that the emergency no longer exists or if certain emergency measures should be discontinued.

NEW SECTION. Sec. 3. There is added to chapter 17.24 RCW a new section to read as follows:

The director of agriculture may, on the behalf of the state of Washington, enter into indemnity contracts wherein the state of Washington agrees to repay any person, firm, corporation, or other entity acting

under the direction or control of the proper authority to provide plant pest or plant disease prevention, control, or eradication measures as provided in this chapter or any rule adopted pursuant to the provisions of this chapter, for losses and damages incurred as a result of such prevention, control, or eradication measures if all of the following conditions occur:

- (1) At the time of the incident the worker is performing services as an emergency measures worker and is acting within the course of his duties as an emergency measures worker;
- (2) At the time of the injury, loss, or damage, the organization providing emergency measures by which the worker is employed is an approved organization for providing emergency measures;
- (3) The injury, loss, or damage is proximately caused by his service either with or without negligence as an emergency measures worker;
- (4) The injury, loss, or damage is not caused by the intoxication of the worker; and
- (5) The injury, loss, or damage is not due to wilful misconduct or gross negligence on the part of a worker.

Where an act or omission by an emergency services provider in the course of providing emergency services injures a person or property, the provider and the state may be jointly and severally liable for the injury, if state liability is proved under existing or hereafter enacted law.

Each person, firm, corporation, or other entity authorized to provide the prevention, control, or eradication measures implementing a program approved under section 2 of this act shall be identified on a list approved by the director. For the purposes of this section, each person on the list shall be known, for the duration of the person's services under the program, as 'an emergency measures worker.'

Sec. 4. Section 8, chapter 113, Laws of 1969 and RCW 15.09.080 are each amended to read as follows:

(1) Whenever the horticultural pest and disease control board finds that an owner of land has failed to control and prevent the spread of horticultural pests and diseases on his land, as is his duty under RCW 15.09.060, it shall provide such person with written notice, which notice shall identify the pests and diseases found to be present and shall order prompt control or disinfection action to be taken within a specified and reasonable time period.

(2) If the person to whom the notice is directed fails to take action in accordance with this notice, then the board shall perform or cause to be performed such measures as are necessary to control and prevent the spread of the pests and diseases on such property and the expense of this work shall be charged to such person (~~:- PROVIDED, That the board shall have no power to order the destruction of any plant).~~

NEW SECTION. Sec. 5. There is appropriated to the department of agriculture from the general fund for the biennium ending June 30, 1983, the sum of three hundred thousand dollars, or so much thereof as may be necessary, for the operation and expenses of an insect detection and control program.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1982."

Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Amen, Fancher, Gallagher, Hastings, Kaiser, Lux, Padden, Sommers.

Voting nay: Representative Prince.

Not attending: Representatives Ehlers, Fancher, Fiske.

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4697, Prime Sponsor: Committee on State Government, authorizing payroll deductions for IRA's. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 20, after "law" insert "or (4) any individual retirement account which is (a) offered through the committee for deferred compensation, (b) selected by the employee, and (c) established under applicable state or federal law"

On page 1, after line 28, add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 41.04 RCW a new section to read as follows:

In addition to its other powers prescribed under this chapter, the committee for deferred compensation is authorized to offer to state employees one or more individual retirement account plans established under applicable state or federal law."

On page 1, line 2 of the title, after "accounts;" strike "and" and on line 4, after "RCW 41.04.020" insert "; and adding a new section to RCW 41.04"

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Grengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representatives Walk, Ranking Minority Member; Erak, Nelson (D).

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4728, Prime Sponsor: Committee on Financial Institutions and Insurance, authorizing the issuance of short-term obligations by municipal corporations. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 3 insert

"(2) 'Local improvement district' includes local improvement districts, utility local improvement districts, road improvement districts, and other improvement districts that a municipal corporation is authorized by law to establish;"

Renumber the remaining subsections consecutively.

On page 2, beginning on line 29 strike "or road improvement district"

On page 4, line 23 beginning with "permitted" strike all the matter down to and including "Constitution" on line 25 and insert "the municipal corporation is otherwise permitted to incur without a vote of the electors"

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Burns, Chamberlain, Cole, Garrett, Kreidler, North, Stratton, Tilly, Van Dyken.

Voting nay: Representatives James, Leonard.

Not attending: Representatives Berleen, Brown, Tilly.

Passed to Committee on Rules for second reading.

February 25, 1982

SENATE BILL NO. 4905, Prime Sponsor: Senator Lee, modifying provisions relating to the governing bodies of merged special purpose districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 5 after "office" insert "or resignations"

On page 3, line 27 after "office" insert "or resignations"

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Leonard, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Berleen, Brown, Tilly.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 828, by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King (J), Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong:

Continuing compensation for crime victims.

The bill was read the second time. On motion of Mr. Hastings, Second Substitute House Bill No. 828 was substituted for House Bill No. 828, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 828 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Tilly, Nelson (D), Chandler, Bond, Stratton, Maxie and Padden spoke in favor of passage of the bill.

Mr. Tilly spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 828, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis,

Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eberle, Winsley.

Second Substitute House Bill No. 828, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 796, by Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

Revising laws on review of apprenticeship programs.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass with the following amendment:

On page 1, line 17 after "34.04 RCW." insert "However, the amount of the fees charged for any single transaction shall not exceed fifty dollars. The department shall not hire additional staff for the purposes of collecting these fees."

Mr. Sanders moved adoption of the committee amendment.

Representatives Sanders, McDonald and King (J) spoke against the amendment, and Representatives Williams, Patrick and Isaacson spoke in favor of it.

Mr. Brown demanded an electric roll call vote on the amendment, and the demand was sustained.

Representatives McDonald and Sanders again opposed the amendment, and Ms. Hankins spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by the Committee on Labor and Economic Development to House Bill No. 796, and the amendment was not adopted by the following vote: Yeas, 8; nays, 88; not voting, 2.

Voting yea: Representatives Barrett, Hankins, Hastings, Isaacson, Leonard, Patrick, Prince, Williams.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Teutsch.

Committee on Ways and Means recommendation: Majority, do pass with the following amendments:

On page 1, after line 20 insert the following:

"(2) The department shall set the fees permitted by this chapter at a level that generates revenue that is as near as practicable to the amount of the appropriation for the apprenticeship division for each biennium."

Renumber the remaining subsections and correct references accordingly.

On page 1, line 17 after "34.04 RCW." insert "The fees for individual apprenticeship or training agreements may be established at variable levels based on the prevailing salary levels in such apprenticeship or training program."

Mr. Chandler moved adoption of the committee amendments, and spoke in favor of them. Representatives Williams and King (J) spoke against them.

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

Representatives Teutsch and King (J) spoke against the committee amendments, and Representatives Nisbet and Clayton spoke in favor of them.

Mr. Erak demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by the Committee on Ways and Means to House Bill No. 796, and the amendments were not adopted by the following vote: Yeas, 28; nays, 68; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bond, Cantu, Chandler, Clayton, Dawson, Dickie, Ellis, Fancher, Flanagan, Greengo, Hastings, Houchen, James, McDonald, Nelson G. A., Nickell, Nisbet, Rosbach, Sanders, Smith, Sprague, Struthers, Teutsch, Tilly, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Becker, Berleen, Bickham, Brekke, Brown, Burns, Chamberlain, Cole, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson.

Not voting: Representatives Eberle, Winsley.

STATEMENT FOR THE JOURNAL

This morning I spoke against the House committee amendments to House Bill No. 796, and mistakenly voted for them. I want the record to show that I vote "No" to the amendments.
DELORES TEUTSCH, 45th District.

MOTION

On motion of Mr. Nelson (D), further consideration of House Bill No. 796 was deferred.

HOUSE BILL NO. 1102, by Representatives Nelson (G), Martinis, Struthers, Scott, Monohon, Hastings and Owen:

Implementing law relating to the control of gambling.

The bill was read the second time. On motion of Mr. Sanders, Substitute House Bill No. 1102 was substituted for House Bill No. 1102, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1102 was read the second time.

Ms. Monohon moved adoption of the following amendment by Representatives Monohon and Struthers:

On page 4, line 27 after "premises." insert "A business holding a class B or H license issued by the Washington state liquor control board is deemed to be an established business primarily engaged in the sale of food and drink for consumption on the premises, and any authorized gambling activity operated in connection with said business is deemed an incidental activity thereto."

Representatives Monohon, Erak, Brown, Barrett, Thompson and Struthers spoke in favor of the amendment, and Representatives Greengo, Williams, Patrick and McDonald spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Monohon and Struthers to page 4, line 27 of Substitute House Bill No. 1102, and the amendment was adopted by the following vote: Yeas, 54; nays, 42; not voting, 2.

Voting yea: Representatives Barr, Barrett, Bender, Bickham, Bond, Brown, Chamberlain, Dickie, Ehlers, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Grimm, Hankins, Hastings, Heck, Isaacson, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Prince, Rinehart, Rust, Schmidt, Scott, Smith, Stratton, Struthers, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Becker, Berleen, Brekke, Burns, Cantu, Chandler, Clayton, Cole, Dawson, Ellis, Eng, Fiske, Garson, Granlund, Greengo, Hine, Houchen, James, Johnson, Kreidler, Lundquist, McDonald, Nelson D., Nisbet, Patrick, Pruitt, Rosbach, Salatino, Sanders, Sherman, Sommers, Sprague, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams.

Not voting: Representatives Eberle, Winsley.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Van Dyken:

On page 9, line 22 after "activities" insert ": PROVIDED, That this subsection shall not apply unless the event is held in the local community of the chapter or local unit"

Mr. Kreidler spoke in favor of the amendment, and Ms. Monohon spoke against it.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Armstrong.

Mr. Armstrong: "For the purpose of establishing legislative intent, what do you mean by 'the local community'?"

Mr. Kreidler: "I'm glad you asked that question, Representative Armstrong. Certainly it would be my intent that we would be only talking about something that's within an easy commute distance from the area that represents the local community—let's say thirty miles or something like that. It would be within a reasonable area of the sponsoring organization. It wouldn't wind up having a focal point that, by virtue of the regulations right now, the law can act as a full-blown casino and run casino operations every single weekend. That's what we're trying to get at. We're trying to say that, certainly, some organizations aren't going to have a specific hall right there in their community, but it's certainly within a reasonable commute distance for them—something like a few miles would be able to satisfy that."

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Tupper.

Mr. Tupper: "My concern here is that a local unit of a club or organization—let's say out in the Ocean shores area—would be able to contract, in essence, all around the state with its other local units and be able to put on a continual series of fund raisers, day in and day out, week in and week out, month in and month out, but that local organization that would be doing the fund raising all over the state, and would, in fact, be in a position to constitute almost a permanent gambling activity. Would this bill, if the amendment is attached, permit that?"

Mr. Kreidler: "My answer would be 'no.' It would help limit the potential for that. It would help to prevent that from happening. It's happening right now, but it would happen on a potentially grander scale if this new language is not limited by imposing my amendment. As it stands right now, a particular focal point can have functions there every single weekend of the month, year in and year out, and by allowing this amendment you can make sure that as they do that now—and I'm certainly opposed to that as it is now—if they continue that, they are now going to be able to draw in larger organizations and areas, so they really can make it a full-blown casino operation on weekends at such focal points."

Mr. Van Dyken spoke in favor of the amendment, and Mr. Struthers again opposed it.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Kreidler, as I read your amendment, you have ignored the fact that there are two chapters and two local units referred to in the bill. The bill says that any local chapter or unit may request or cooperate with the services of any other chapter or unit under the same parent group. Your amendment says that the event must be held in the chapter or unit's own community. My question first is: Is the intent of your amendment to so thoroughly cloud the preceding sentence that it would be impossible for anyone to interpret which group is meant, or is the intent of the amendment to make it so it's impossible because each group could only operate in its own local jurisdiction, to make it impossible for any unit to cooperate with another unit even though they were members of the same parent organization?"

Mr. Kreidler: "I have another amendment that will hopefully address that concern you are raising here. My amendment here addresses only this subsection of the bill, and what I'm basically saying with this is that often times a local chapter or unit doesn't have somebody who is particularly good as a blackjack dealer, but they can get some real pros out of their whole area chapter who can participate then in an Ocean Shores, or some other focal point, operation. You really get some real pros in there as your casino night operators that you can't get out of the local chapter. That's not why we devised this bill in the first place, and it's certainly very much of a broadening, so I'm essentially trying to get at that type of participation of the larger organizations."

Representatives Barrett and Struthers spoke against the amendment, and Mr. Greengo spoke in favor of it.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the amendment by Representatives Kreidler and Van Dyken to page 9, line 22 of Substitute House Bill No. 1102, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Addison, Barnes, Becker, Berleen, Brekke, Burns, Chamberlain, Chandler, Clayton, Cole, Ehlers, Eng, Flanagan, Garrett, Garson, Granlund, Greengo, Hine, James, Kreidler, Lundquist, Martinis, McDonald, Nelson D., North, Patrick, Pruitt, Rust, Salatino, Sanders, Sherman, Sommers, Sprague, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Bender, Bickham, Bond, Brown, Cantu, Dawson, Dickie, Fancher, Fiske, Gallagher, Galloway, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lux, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Prince, Rinehart, Rosbach, Schmidt, Scott, Smith, Stratton, Struthers, Teutsch, Valle, Walk, Warnke, Wilson.

Not voting: Representatives Eberle, Ellis, Erak, Winsley, and Mr. Speaker.

Mr. Greengo moved adoption of the following amendment:

On page 9, beginning on line 16 after "auxiliary" strike everything through and including "activities" on line 22

Representatives Greengo and Kreidler spoke in favor of the amendment, and Representatives Monohon, Barrett, Patrick and Brown spoke against it.

Mr. Greengo spoke again in favor of the amendment.

Mr. Hastings demanded the previous question and the demand was sustained.

The amendment was not adopted.

Mr. Williams moved adoption of the following amendment:

Beginning on page 10, line 7 strike all of subsection (17) and insert:

"(17) A person is engaged in 'professional gambling' when:

(a) Acting other than ~~((as a player or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly ~~((engages in conduct which materially aids any other form))~~ accepts or receives money or other property other than personal winnings, for establishing, or participating in the establishment of gambling activity; or

(b) Acting other than ~~((as a player, or))~~ in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly ~~((accepts or))~~ participates in gambling activity wherein he, or another person, receives money or other property ((pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds)) other than personal winnings, for establishing, or participating in the establishment of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

A 'player' is not exempted, as such, under this definition.

Conduct under subparagraphs (a) and (b) of this subsection, except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, ((and acting other than as a player,)) and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the accepting or receiving of money or other property for the sole purpose of procurement of refreshments such as food, drink and tobacco products shall not constitute a violation of subparagraph (a) or subparagraph (b) of this subsection, so long as the amount of money or property accepted or received is equal to or less than the actual purchase of said refreshments: PROVIDED FURTHER, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection."

Representatives Williams and Struthers spoke in favor of the amendment, and it was adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Kreidler;

On page 12, beginning on line 9 after "of" strike "~~((one)) two dollars~~" and insert "one dollar"

Representatives Van Dyken, Kreidler and Greengo spoke in favor of the amendment, and Representatives Sanders and Brown spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

The amendment was not adopted.

Ms. Winsley appeared at the bar of the House.

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Van Dyken:

On page 13, line 17 after "dollars" insert ": PROVIDED, That the ten thousand dollar limit shall only apply if the event is held in the local community of the nonprofit organization, otherwise the limit may not exceed five thousand dollars"

Representatives Kreidler, McDonald and Van Dyken spoke in favor of the amendment, and Representatives Monohon, Struthers and Owen spoke against it.

Mr. Kreidler spoke again in favor of the amendment.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kreidler and Van Dyken to page 13, line 17 of Substitute House Bill No. 1102, and the amendment was adopted by the following vote: Yeas, 59; nays, 35; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Becker, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Fancher, Fiske, Galloway, Garson, Granlund, Greengo, Hankins, Heck, Hine, James, Johnson, Kaiser, Kreidler, Lewis, Lundquist, Maxie, McDonald, Nelson D., Nickell, Padden, Patrick, Pruitt, Rosbach, Rust, Salatino, Sanders, Sherman, Smith, Sommers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Winsley.

Voting nay: Representatives Armstrong, Barrett, Bender, Brown, Flanagan, Gallagher, Garrett, Grimm, Hastings, Houchen, Isaacson, King J., King R., Leonard, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Prince, Rinehart, Schmidt, Scott, Sprague, Stratton, Struthers, Walk, Warnke, Wilson.

Not voting: Representatives Clayton, Eberle, Erak, and Mr. Speaker.

Mr. Greengo moved adoption of the following amendment:

On page 13, beginning on line 17 strike "ten thousand" and insert "seven thousand five hundred"

Mr. Greengo spoke in favor of the amendment, and Representatives Brown, Barr, Lux and Owen spoke against it.

Mr. Greengo spoke again in favor of the amendment.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Greengo to page 13, line 17 of Substitute House Bill No. 1102, and the amendment was not adopted by the following vote: Yeas, 40; nays, 54; not voting, 4.

Voting yea: Representatives Addison, Barnes, Becker, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Ellis, Eng, Fiske, Flanagan, Garson, Greengo, Hine, James, Johnson, Kreidler, Lundquist, Maxie, McDonald, Nickell, Patrick, Pruitt, Rosbach, Rust, Salatino, Sanders, Sherman, Sommers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Dawson, Ehlers, Fancher, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Prince, Rinehart, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Teutsch, Walk, Wang, Warnke, Wilson, Winsley.

Not voting: Representatives Dickie, Eberle, Erak, and Mr. Speaker.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eberle and Erak. Representative Eberle was excused.

The House resumed consideration of Substitute House Bill No. 1102 on second reading.

Mr. Tilly moved adoption of the following amendment:

On page 13, line 27 after the semicolon strike "and" and insert

"(d) such event shall not be held on the premises of a licensee, as defined in RCW 66.20.160, more than four calendar days per calendar month; and

(e)"

Representatives Tilly, Kreidler, McDonald and Sanders spoke in favor of the amendment, and Representatives Struthers and Monohon spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 13, line 27 of Substitute House Bill No. 1102, and the amendment was adopted by the following vote: Yeas, 69; nays, 25; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Ellis, Eng, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Heck, Hine, Houchen, James, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, North, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brown, Ehlers, Fancher, Gallagher, Grimm, Hankins, Hastings, Isaacson, Kaiser, King R., Martinis, Maxie, McCormick, Monohon, Nisbet, O'Brien, Owen, Prince, Scott, Stratton, Struthers, Walk, Warnke, Wilson.

Not voting: Representatives Clayton, Eberle, Erak, Thompson.

Mr. McDonald moved adoption of the following amendment by Representatives McDonald, Williams and Pruitt:

On page 13, line 27 after the semicolon strike "and" and insert:

"(d) no fund raising event may be held in any building or portion thereof, or at any other specific location, within thirty-two days following any other fund raising event held in (1) that building or at that specific location or (2) any other building or at any other specific location in the same general area in which an ownership interest of 10% or more is held by any person who also holds an ownership interest of 10% or more in the subject building or specific location; and

(e)"

Representatives McDonald and Greengo spoke in favor of the amendment, and Representatives Monohon, Barrett, Brown and Struthers spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald and others to page 13, line 27 of Substitute House Bill No. 1102, and the amendment was not adopted by the following vote: Yeas, 29; nays, 64; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Becker, Bond, Cantu, Chamberlain, Chandler, Clayton, Cole, Ellis, Eng, Garson, Greengo, Johnson, Kreidler, Lundquist, McDonald, Patrick, Pruitt, Rosbach, Salatino, Sanders, Tilly, Tupper, Van Dyken, Vander Stoep, Williams.

Voting nay: Representatives Armstrong, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Burns, Dawson, Dickie, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Prince, Rinehart, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Not voting: Representatives Eberle, Ehlers, Erak, Thompson, and Mr. Speaker.

Mr. Williams moved adoption of the following amendment:

On page 13, after line 32 insert:

"Sec. 2. Section 11, chapter 218, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 139, Laws of 1981 and RCW 9.46.110 are each amended to read as follows:

The legislative authority of any county, city-county, city, or town, by local law and ordinance, and in accordance with the provisions of this chapter and rules and regulations promulgated hereunder, may provide for the taxing of any gambling activity authorized in RCW 9.46.030 as now or hereafter amended within its jurisdiction, the tax receipts to go to the county, city-county, city, or town so taxing the same:

PROVIDED, That any such tax imposed by a county alone shall not apply to any gambling activity within a city or town located therein (~~but the tax rate established by a county, if any, shall constitute the tax rate throughout such county including both incorporated and unincorporated areas, except for any city located therein with a population of twenty thousand or more persons as of the most recent decennial census taken by the federal government~~): PROVIDED FURTHER, That (1) punch boards and pull-tabs, chances on which shall only be sold to adults, which shall have a twenty-five cent limit on a single chance thereon, shall be taxed on a basis which shall reflect only the gross receipts from such punch boards and pull-tabs; and (2) no punch board or pull-tab may award as a prize upon a winning number or symbol being drawn the opportunity of taking a chance upon any other punch board or pull-tab; and (3) all prizes for punch boards and pull-tabs must be on display within the immediate area of the premises wherein any such punch board or pull-tab is located and upon a winning number or symbol being drawn, such prize must be immediately removed therefrom, or such omission shall be deemed a fraud for the purposes of this chapter; and (4) when any person shall win over twenty dollars in money or merchandise from any punch board or pull-tab, every licensee hereunder shall keep a public record thereof for at least ninety days thereafter containing such information as the commission shall deem necessary: AND PROVIDED FURTHER, That taxation of bingo and raffles shall never be in an amount greater than ten percent of the gross revenue received therefrom less the amount paid for or as prizes. Taxation of amusement games shall only be in an amount sufficient to pay the actual costs of enforcement of the provisions of this chapter by the county, city or town law enforcement agency and in no event shall such taxation exceed two percent of the gross revenue therefrom less the amount paid for as prizes: PROVIDED FURTHER, That no tax shall be imposed under the authority of this chapter on bingo, raffles or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in RCW 9.46.020(3), which organization has no paid operating or management personnel and has gross income from bingo, raffles or amusement games, or any combination thereof, not exceeding five thousand dollars per year less the amount paid for as prizes. Taxation of punch boards and pull-tabs shall not exceed five percent of gross receipts, nor shall taxation of social card games exceed twenty percent of the gross revenue from such games.

Sec. 3. Section 18, chapter 218, Laws of 1973 1st ex. sess. as amended by section 8, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.180 are each amended to read as follows:

~~(Any person who knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or both:)~~ (1) The provisions of RCW 9A.08.020 imposing liability for the conduct of another shall apply to violations of this chapter and any person legally accountable hereunder shall be guilty as a principal, and if the principal violation would constitute a felony, shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or by both such confinement and fine. If the principal violation would constitute a gross misdemeanor, punishment shall be by imprisonment not to exceed one year in jail, or shall be by a fine of not more than five thousand dollars, or by both such confinement and fine. If the principal violation would constitute a misdemeanor, punishment shall be by imprisonment not to exceed ninety days or shall be by a fine of not more than one thousand dollars, or by both such confinement and fine.

(2) The provisions of chapter 9A.28 RCW imposing liability for criminal attempt, criminal solicitation or criminal conspiracy shall apply to violations of this chapter but a person guilty of criminal attempt, solicitation or conspiracy under this chapter shall be punished the same as a principal, and if the principal violation would constitute a felony, shall be punished by imprisonment for not more than five years or a fine of not more than one hundred thousand dollars, or by both such confinement and fine. If the principal violation would constitute a gross misdemeanor, punishment shall be by imprisonment not to exceed one year in jail, or shall be by a fine of not more than five thousand dollars, or by both such confinement and fine. If the principal violation would constitute a misdemeanor, punishment shall be by imprisonment not to exceed ninety days or shall be by a fine of not more than five hundred dollars, or by both such confinement and fine.

Sec. 4. Section 9, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.185 are each amended to read as follows:

(1) Any person who knowingly (causes, aids, abets, or conspires with another to cause any person to violate) violates any rule or regulation adopted pursuant to this chapter shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

(2) The provisions of RCW 9A.08.020 imposing liability for the conduct of another shall apply to violations of rules or regulations adopted pursuant to this chapter and any person held legally accountable hereunder shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

(3) The provisions of chapter 9A.28 RCW imposing liability for criminal attempt, criminal solicitation or criminal conspiracy shall apply to violations of rules or regulation adopted pursuant to this chapter but a person guilty of criminal attempt, solicitation or conspiracy under this chapter shall be guilty of a gross misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than five thousand dollars, or by both such confinement and fine.

Sec. 5. Section 19, chapter 218, Laws of 1973 1st ex. sess. as amended by section 10, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.190 are each amended to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Knowingly employ any device, scheme, or artifice to defraud any person; or
- (2) Knowingly make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made to defraud any person; or
- (3) Knowingly engage in any act, practice or course of operation ((as would operate as a fraud or deceit upon)) to defraud any person;

Shall be guilty of a ~~((gross misdemeanor))~~ felony and upon conviction shall be punished by imprisonment ~~((in the county jail))~~ for not more than ~~((one))~~ five years or by a fine of not more than ~~((five))~~ one hundred thousand dollars, or by both such confinement and fine.

Sec. 6. Section 22, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.220 are each amended to read as follows:

(1) Whoever engages in professional gambling((or knowingly causes, aids, abets, or conspires with another to engage in professional gambling;)) as defined in RCW 9.46.020(17) (a), (c), or (d) shall be guilty of a felony and fined not more than one hundred thousand dollars or imprisoned not more than five years or both(~~(-PROVIDED, HOWEVER, That))~~).

(2) Whoever engages in professional gambling as defined in RCW 9.46.020(17)(b) shall be guilty of a gross misdemeanor and fined not more than five thousand dollars or imprisoned not more than one year in the county jail, or both.

This section shall not apply to those activities enumerated in RCW 9.46.030 or to any act or acts in furtherance thereof when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations adopted pursuant thereto.

Sec. 7. There is added to chapter 9.46 RCW a new section to read as follows:

Any person or association or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Knowingly employ any device, scheme, or artifice to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or
- (2) Knowingly make any untrue statement of a material fact or make any misleading statement of a material fact or omit to state a material fact necessary in order to make the statement not misleading, in light of the circumstances under which said statement is made, or submit any documents or forms containing any false, or misleading or deceptive information, to local taxing authorities to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; or

(3) Knowingly engage in any act, practice or course of operation to defraud any county, city-county, city or town out of tax moneys, revenues or proceeds due and authorized in accordance with RCW 9.46.110; Shall be guilty of a felony and upon conviction shall be punished by imprisonment for not more than five years or by a fine of not more than one hundred thousand dollars, or by both such confinement and fine.

Except as otherwise specifically provided herein, the provisions of chapters 9A.04 through 9A.28 RCW are applicable to offenses defined by this chapter."

Renumber the remaining sections consecutively.

Representatives Williams, Sanders and Kreidler spoke in favor of the amendment, and Representatives Struthers, Barrett and Monohon spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Williams to page 13, line 32 of Substitute House Bill No. 1102, and the amendment was adopted by the following vote: Yeas, 56; nays, 38; not voting, 4.

Voting yea: Representatives Addison, Barnes, Becker, Bender, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dickie, Ellis, Eng, Fiske, Galloway, Garrett, Garson, Granlund, Greengo, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Lewis, Lundquist, McDonald, Nelson D., Nelson G. A., Nisbet, Patrick, Rosbach, Rust, Salatino, Sanders, Sherman, Sommers, Sprague, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Berleen, Brown, Dawson, Ehlers, Fancher, Flanagan, Gallagher, Grimm, Hankins, Hastings, Kaiser, Leonard, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nickell, North, O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Schmidt, Scott, Smith, Stratton, Struthers, Walk, Warnke.

Not voting: Representatives Chandler, Eberle, Erak, and Mr. Speaker.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt and Greengo:

On page 14, line 19 after "receipts" strike "less payouts"

Representatives Pruitt and Kreidler spoke in favor of the amendment, and Mr. Struthers opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Pruitt and Greengo to page 14, line 9 of Substitute House Bill No. 1102, and the amendment was adopted by the following vote: Yeas, 54; nays, 40; not voting, 4.

Voting yea: Representatives Addison, Barnes, Becker, Bender, Berleen, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Fiske, Galloway, Garrett, Garson, Granlund, Greengo, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lundquist, Maxie, McDonald, Nelson D., Nisbet, North, Patrick, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Sommers, Sprague, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Bickham, Bond, Brown, Clayton, Dickie, Fancher, Flanagan, Gallagher, Grimm, Hankins, Hastings, Isaacson, King R., Lewis, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, O'Brien, Owen, Padden, Prince, Rinehart, Scott, Smith, Stratton, Struthers, Taylor, Walk, Warnke, Wilson, Winsley.

Not voting: Representatives Eberle, Erak, Thompson, and Mr. Speaker.

Substitute House Bill No. 1102 was ordered engrossed and passed to Committee on Rules for third reading.

Representative Erak appeared at the bar of the House.

HOUSE BILL NO. 1105, by Representatives King (J), Lewis, Heck, Becker, Wang, Hine, Fiske, Chandler, Armstrong and Brekke:

Modifying appropriations to the department of social and health services.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 1105 was substituted for House Bill No. 1105, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1105 was read the second time.

Ms. Brekke moved adoption of the following amendment by Representatives Brekke and Nisbet:

On page 2, after line 17 insert the following:

"On an exception-to-policy basis, the department of social and health services may disregard income expended for substantial medical costs for the purpose of determining the level of chore services to be provided to a client in accordance with RCW 74.08.541. Not more than \$950,000 may be utilized for this purpose."

Representatives Brekke and Nisbet spoke in favor of the amendment, and it was adopted.

Ms. Berleen moved adoption of the following amendment:

On page 4, after line 1 insert the following:

"Sec. 2. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	102,651,000
General Fund Appropriation—Federal	\$	127,224,000
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	229,923,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

(6) The department of social and health services shall institute a pilot community work and training program, in accordance with chapter 74.04 RCW, which shall require, as appropriate, qualified recipients of public assistance to perform child day care services at licensed, nonprofit day care centers."

Renumber the sections consecutively.

Representatives Berleen, Nisbet and Dickie spoke in favor of the amendment, and Representatives King (J) and Becker spoke against it.

POINT OF INQUIRY

Ms. Berleen yielded to question by Ms. Brekke.

Ms. Brekke: "Representative Berleen, I'm wondering what kind of consultation you have had with the Department of Social and Health Services, and what would be their capability to promulgate this program and put it into effect?"

Ms. Berleen: "I have great reliance that the Department of Social and Health Services will be able to put this into effect if it is passed here today."

Ms. Brekke spoke against the amendment.

POINT OF INQUIRY

Ms. Berleen yielded to question by Mr. Lux.

Mr. Lux: "Representative Berleen, does the Department now have a program in place for volunteers who wish to do this type of thing? Is there something in place now that would take care of people who really would sincerely offer themselves to do this?"

Ms. Berleen: "I am not aware of such a program."

Representatives Gallagher, Ellis and Taylor spoke in favor of the amendment, and Representatives Pruitt and Kreidler spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

The amendment was adopted.

On motion of Mr. Nisbet, the following amendment to the title was adopted:

On page 1, line 3 of the title after "(uncodified):" insert "amending section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified):"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives King (J) and Nisbet spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Eberle.

Engrossed Substitute House Bill No. 1105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4510, by Committee on Ways and Means (originally sponsored by Senators Quigg, Talley, Guess, Zimmerman, Fuller and Sellar):

Providing for recovery operations from Mt. St. Helens eruption.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 44th Day, February 23, 1982.)

Mr. Williams moved adoption of the committee amendments.

On motion of Mr. Thompson, the following amendment to the committee amendment was adopted:

On page 4 of the committee amendment after "control" in subsection (2) strike the remainder of the sentence and insert "and dredging projects located in the Toutle river, at the Cowlitz river from river mile 22 to the confluence with the Columbia and the volcano and affected tributaries to the Cowlitz and Toutle river and volcano affected areas of the Columbia river."

Ms. Monohon moved adoption of the following amendments to the committee amendments:

On page 3, line 8 strike "Recovery" and insert "Emergency recovery"

On page 3, line 12 after "county" insert ": PROVIDED, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem"

On page 3, line 16 strike "Recovery" and insert "Emergency recovery"

On page 3, line 20 after "county" insert ": PROVIDED, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem"

On page 3, line 24 strike "Recovery" and insert "Emergency recovery"

On page 3, line 28 after "county" insert ": PROVIDED, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem"

On page 3, line 32 strike "Recovery" and insert "Emergency recovery"

On page 4, line 2 after "county" insert ": PROVIDED, That the applicable legislative authority shall promptly notify the department of ecology of the emergency action taken and the emergent nature of the problem"

Representatives Monohon and Thompson spoke in favor of the amendments, and they were adopted.

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

Representatives Williams and Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4510 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Eberle.

Substitute Senate Bill No. 4510 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), Substitute Senate Bill No. 4510 as amended by the House was ordered immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

February 25, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4418,

SUBSTITUTE SENATE BILL NO. 4586,

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 134,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

HOUSE BILL NO. 1140, by Representatives Barr, Stratton, McCormick, Bond and Lundquist:

Relating to the prepayment of local sales and use taxes and the use of such tax revenues to mitigate socioeconomic impacts of large construction projects.

The bill was read the second time. On motion of Mr. Lundquist, Substitute House Bill No. 1140 was substituted for House Bill No. 1140, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1140 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Barr and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1140, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eberle, Salatino.

Substitute House Bill No. 1140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 926, by Committee on State Government (originally sponsored by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen):

Modifying procedures of the human rights commission.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and Engrossed Substitute House Bill No. 926 was returned to second reading for the purpose of amendment.

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 926 was deferred and the bill was ordered placed at the top of the second reading calendar.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1098, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Representatives Van Dyken, Becker, Fiske and Lundquist):

Providing for review of decisions of the department of ecology concerning adjustments to local government master programs.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and Engrossed Substitute House Bill No. 1098 was returned to second reading for the purpose of amendment.

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 1098 was deferred and the bill was ordered placed at the top of the second reading calendar following Engrossed Substitute House Bill No. 926.

SUBSTITUTE HOUSE BILL NO. 973, by Committee on Human Services (originally sponsored by Representatives Wang, Mitchell, Barnes, Kreidler, Vander Stoep, Nelson (D), Rinehart, Tupper, Stratton, Pruitt, Sherman, Lux and Armstrong):

Providing for reduced temperature settings of residential water heaters.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended and Substitute House Bill No. 973 was returned to second reading for the purpose of amendment.

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 973 was deferred and the bill was ordered placed at the top of the second reading calendar after Engrossed Substitute House Bill No. 1098.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 926, by Committee on State Government (originally sponsored by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen):

Modifying procedures of the human rights commission.

The bill was read the second time.

Ms. Maxie moved adoption of the following amendments by Representatives Maxie, Isaacson, Walk and Addison:

On page 4, beginning on line 9 after "promptly" strike "the chairman of"

On page 5, line 22 after "Sec. 4." strike "Sections 2 and 3" and insert "Section 2"

Representatives Maxie and Isaacson spoke in favor of the amendments, and they were adopted.

The bill was ordered reengrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Isaacson and Maxie spoke in favor of passage of the bill, and Mr. Wang spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 926, and the bill passed the House by the following vote: Yeas, 83; nays, 12; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ehlers, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brekke, Burns, Cole, Eng, King J., Kreidler, Lux, Nelson D., Sommers, Valle, Wang.

Not voting: Representatives Eberle, Erak, Thompson.

Reengrossed Substitute House Bill No. 926, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1098, by Committee on Natural Resources and Environmental Affairs (originally sponsored by Representatives Van Dyken, Becker, Fiske and Lundquist):

Providing for review of decisions of the department of ecology concerning adjustments to local government master programs.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, Becker and Lundquist:

On page 2, line 1 after "department" strike the period and all material down to and including "policies" on line 18 and insert ", except when an appeal is filed as hereinafter provided. An adjustment may only be adopted by the local government if, prior to its adoption, a public hearing was held on the proposal. At

least three weeks prior to this hearing the local government proposing to adjust its master program shall provide written notification of the proposal to the department. The department, as the primary agency responsible for the administration of this chapter, shall both notify other affected state agencies of the proposal and provide advice and counsel to the local government proposing the adjustments. After a local government adopts an adjustment to its master program, it shall immediately send a copy of its adjustment to the department. The department shall send copies of the adjustment to any state agency which may have an interest in the adjustment.

During this ninety-day period any state agency or any aggrieved person may appeal such adjustment to the shorelines hearings board as not being consistent with the policy of RCW 90.58.020 and the applicable guidelines. Review by the hearings board shall be considered a contested case under chapter 34.04 RCW, except that an appeal to the superior court from a final decision of the hearings board shall only be made to the superior court of the county within whose boundaries the land subject to the proposed adjustment is primarily located, and venue for any such action shall lie in that county. The review by the hearings board shall be heard within the county where the land subject to the proposed adjustment is primarily located. The board, after full consideration of the presentations of the local government and the aggrieved party or agency, shall determine the validity of the local government's ordinance in light of the policies and standards for implementation set forth in the act."

Representatives Van Dyken and Becker spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Dyken, the following amendment by Representatives Van Dyken, Becker and Lundquist was adopted:

On page 3, after line 18 add a new section as follows:

"NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government, and its existing public institutions, and shall take effect immediately."

The following amendments to the title were adopted:

On page 1, line 5 of the title after "90.58 RCW;" strike "and"

On page 1, line 6 of the title after "90.58.190" strike the period and insert "; and declaring an emergency."

The bill was ordered reengrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Van Dyken, Becker and Valle spoke in favor of the bill, and Ms. Brekke spoke against it.

POINT OF INQUIRY

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

Mr. Taylor: "Representative Van Dyken, do I understand there are some grandparenting clauses in here?"

Mr. Van Dyken: "Yes, Representative Taylor, there are."

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 1098, and the bill passed the House by the following vote: Yeas, 74; nays, 21; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ehlers, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brekke, Brown, Burns, Cole, Eng, Gallagher, Garrett, Kaiser, King R., Lux, Nelson D., North, Rinehart, Rust, Salatino, Sommers, Stratton, Tupper, Wang, Warnke.

Not voting: Representatives Eberle, Erak, Martinis.

Reengrossed Substitute House Bill No. 1098, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 884.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1218, by Representative Garson:

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

To Committee on Revenue

ENGROSSED SUBSTITUTE SENATE BILL NO. 4418, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Enacting the social and health services financial responsibility act.

To Committee on Appropriations - Human Services

SUBSTITUTE SENATE BILL NO. 4586, by Committee on State Government (originally sponsored by Senators Metcalf, Hemstad and Wilson - by Governor Spellman request):

Reorganizing various agencies of state government.

To Committee on State Government

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 134, by Committee on Education (originally sponsored by Senators Lee, Bluechel, Wojahn and Shinpoch):

Urging the adoption of abuse prevention programs in Washington schools.

To Committee on Education

MOTION

On motion of Mr. Nelson (G), the bills listed on today's supplemental agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 25, 1982

HOUSE BILL NO. 1051, Prime Sponsor: Representative Clayton, establishing the Washington state farm workers shelter council. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, beginning on line 3 after "of" strike "one million five hundred" and insert "seven hundred fifty"

On page 5, line 6 after "than" strike "two hundred twenty-five thousand" and insert "one hundred twelve thousand five hundred"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Clayton, Cole, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Voting nay: Representative Barrett.

Not attending: Representatives Brown, Eberle.

Rereferred to Committee on Ways and Means

February 25, 1982

HOUSE BILL NO. 1116, Prime Sponsor: Committee on Labor and Economic Development, authorizing an extended industrial development levy by port districts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Cole, Garrett, Hankins, Monohon.

Voting nay: Representatives King (J), Ranking Minority Member; Brekke, Brown, Flanagan, Lux, Smith.

Not attending: Representative Eberle.

Rereferred to Committee on Revenue

February 25, 1982

HOUSE JOINT MEMORIAL NO. 24, Prime Sponsor: Representative Berleen, requesting the end of the mandatory vehicle emission testing. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Martinis, Ranking Minority Member; Bender, Cantu, Chamberlain, Gallagher, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Schmidt, Smith, Sprague, Walk.

Voting nay: Representatives Burns, Erak, Sherman.

Not signing report: Representative Garrett.

Not attending: Representatives Clayton, Vice Chairman; Chamberlain, Eberle, Owen, Sprague.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SENATE BILL NO. 3233, Prime Sponsor: Senator von Reichbauer, revising vehicle accident reporting procedure. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Clayton, Vice Chairman; Bender, Eberle, Lundquist, Owen, Smith.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4115, Prime Sponsor: Committee on Financial Institutions and Insurance, revising laws relating to international banking facilities. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, Eng, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Sanders, Scott.

Not attending: Representatives Bond, Monohon.

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4201, Prime Sponsor: Committee on Financial Institutions and Insurance, regulating the valuation of insurance and nonforfeiture of life insurance. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Bond, Dickie, McGinnis, Monohon, Nisbet, Salatino, Sanders, Scott.

Voting nay: Representatives Lux, Ranking Minority Member; Eng, King (R).

Not attending: Representative Rosbach.

Rereferred to Committee on Appropriations - General Government

February 25, 1982

SENATE BILL NO. 4354, Prime Sponsor: Senator Lee, providing choices for personnel or civil service system for employees of combined city and county health departments. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Chamberlain, Cole, James, Kreidler, North, Stratton, Van Dyken.

Not attending: Representatives Hine, Ranking Minority Member; Barrett, Berleen, Brown, Burns, Garrett, Leonard, Tilly.

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4501, Prime Sponsor: Committee on Commerce and Labor, modifying requirements for posting of prevailing wage statements by certain contractors. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Clayton, Cole, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Not attending: Representatives Brown, Eberle,

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4562, Prime Sponsor: Committee on Transportation, authorizing state participation in a multistate motor fuel tax agreement. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Sherman, Smith, Sprague, Walk.

Voting nay: Representative Schmidt.

Not attending: Representatives Clayton, Vice Chairman; Bender, Owen.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4597, Prime Sponsor: Committee on Commerce and Labor, modifying the state fireworks law. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 16, beginning on line 12 strike all material down to and including "fees" on line 14 and insert "A local public agency (~~shall not charge more than ten dollars as~~) may provide by ordinance for a permit fee in an amount sufficient to cover legitimate administrative costs for permit processing and inspection, but in no case to exceed one hundred dollars for any one year"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Monohon, Smith.

Not attending: Representative Lux.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, Prime Sponsor: Committee on Education, implementing the law relating to state apportionment for pupil transportation. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162 are each amended to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with ((~~RCW 28A.41.160~~)) this chapter, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory

programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 2. Section 4, chapter 265, Laws of 1981 and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for each district. 'Standard student mile allocation rate,' as used in this ~~((section))~~ chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate may consist of no more than ~~((five))~~ eight differential rates state-wide, as determined by the superintendent ~~((and shall include but not be limited to such factors as climate and terrain; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials)).~~ Such rates shall recognize, to the extent possible, cost differentials that are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1).

(2) The superintendent shall annually calculate a standard unit mile rate for each district. 'Standard unit mile rate,' as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than ~~((five))~~ eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house of representatives a report outlining the methodology and rationale used in determining the student mile and unit mile rates to be used the following year.

Sec. 3. Section 5, chapter 265, Laws of 1981 and RCW 28A.41.525 are each amended to read as follows:

The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. ~~((The superintendent shall include not less than twenty-five percent of the estimated student transportation allocation in the following September apportionment payment to school districts.))~~ By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation. The superintendent shall then make necessary corrections and shall notify districts of their final student transportation allocation before the following December 1st ~~((and shall make the balance of the student transportation allocation in approximately equal parts as a part of the December, February, and April apportionment payments to school districts)).~~ If the number of eligible students in a school district changes ten percent or more from the final October 15 number, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

NEW SECTION. Sec. 4. The superintendent of public instruction shall submit a report to the legislature which shall:

(1) Identify the factors that will be used to recognize cost differentials between districts, and the data elements that will be used to measure the factors that contribute to these cost differentials;

(2) Collect the appropriate financial and workload data necessary to measure cost differentials between districts;

(3) Describe and analyze the differential rates associated with the standard student mile allocation under the eligibility formula along with an analysis of each school district's eligibility for a differential rate. The rationale for choosing specific rates and the procedures used in evaluating district requests for differential rates shall also be included;

(4) Compare and analyze the difference in costs of changing the 'eligible student' definition in RCW 28A.41.510 to include only those students whose residence or assigned route stop is more than one and one-half miles from the student's school, while still excepting handicapped students;

(5) Compare the distribution of transportation operating funds to each local school district under the interim methodology approved for the 1982-83 school year and the methodology requiring use of eligible student for 1983-84; and

(6) Present options for a continued phase-in of the eligible student allocation formula, with a description of the fiscal impact on school districts.

The report shall be submitted to the senate and house committees on education no later than December 15, 1982.

All data collected by the superintendent and requested by the committees on ways and means or education of the house or senate pertaining to the funding of pupil transportation shall be delivered to the legislative evaluation and accountability program (LEAP) as soon as possible in a machine readable form acceptable to the LEAP committee.

NEW SECTION. Sec. 5. Section 13, chapter 265, Laws of 1981 (uncodified) is hereby repealed.

NEW SECTION. Sec. 6. Sections 2 and 3 of this amendatory act shall take effect September 1, 1982.

NEW SECTION. Sec. 7. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On line 1 of the title after "transportation;" strike the remainder of the title and insert the following "amending section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162; amending section 4, chapter 265, Laws of 1981 and RCW 28A.41.520; amending section 5, chapter 265, Laws of 1981 and RCW 28A.41.525; creating new sections; repealing section 13, chapter 265, Laws of 1981 (uncodified); and providing an effective date."

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Cantu, Dickie, Ellis, Galloway, James, Lewis, McDonald, Vander Stoep.

Voting nay: Representatives Valle, Ranking Minority Member; Armstrong, Bender, Eng, Hine, Maxie.

Not attending: Representatives Eberle, Warnke.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SENATE BILL NO. 4701, Prime Sponsor: Senator Sellar, requiring health maintenance organizations to contribute to a reserve fund to cover insolvency. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Dickie, Eng, King (R), McGinnis, Salatino, Sanders.

Voting nay: Representatives Bond, Rosbach.

Not attending: Representatives Monohon, Nisbet, Scott.

Passed to Committee on Rules for second reading.

February 25, 1982

SUBSTITUTE SENATE BILL NO. 4750, Prime Sponsor: Committee on Transportation, authorizing the department of licensing to enter into the nonresident violators compact. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Eberle, Owen.

Passed to Committee on Rules for second reading.

February 25, 1982

SENATE BILL NO. 4952, Prime Sponsor: Senator von Reichbauer, authorizing a metropolitan municipal corporation to charter an electric streetcar on rails operating within a city. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Clayton, Vice Chairman; Bender, Eberle, Lundquist, Owen, Smith.

Passed to Committee on Rules for second reading.

February 25, 1982

SENATE BILL NO. 4956, Prime Sponsor: Senator Williams, regulating the disposition of historic ferries. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain Erak, Garrett, Garson, Hankins, Lundquist, McCormick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Voting nay: Representatives Gallagher, Patrick.

Not signing report: Representative Eberle.

Not attending: Representatives Bender, Owen.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, Prime Sponsor: Senator Metcalf, requesting actions be filed in the Supreme Court against unsound monetary policies. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, McGinnis, Rosbach, Salatino, Sanders.

Voting Nay: Representative Dawson, Chairman.

Not attending: Representatives Eng, King (R), Monohon, Nisbet, Scott.

Passed to Committee on Rules for second reading.

The Speaker declared the House to be at ease until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker.

MESSAGES FROM THE SENATE

February 26, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4510, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 26, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4510,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 4510.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Monday, March 1, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTIETH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, March 1, 1982.

The House was called to order at 9:30 a.m., by the Speaker (Mr. Amen presiding).

MESSAGES FROM THE SENATE

February 26, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 46,
SUBSTITUTE HOUSE BILL NO. 449,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 26, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 884,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1219, by Committee on Ways and Means and Representatives Chandler, Sommers and Greengo:

AN ACT Relating to taxes imposed by local governments; amending section 82.02.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 196, Laws of 1979 ex. sess. and RCW 82.02.020; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 20, chapter 288, Laws of 1971 ex. sess. as last amended by section 2, chapter 218, Laws of 1979 ex. sess. and RCW 84.55.010; amending section 21, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.020; adding a new chapter to Title 82 RCW; adding new sections to chapter 82.14 RCW; adding a new section to chapter 84.55 RCW; and providing an effective date.

To Committee on Revenue

HOUSE BILL NO. 1220, by Representatives Nelson (G), Ellis, Armstrong, Salatino and Padden:

AN ACT Relating to career criminals; and creating a new chapter in Title 10 RCW.

To Committee on Ethics, Law and Justice

HOUSE BILL NO. 1221, by Representatives Kaiser, Smith, Scott, Tilly, Walk and Nickell:

AN ACT Relating to vocational education; and adding a new section to chapter 174, Laws of 1975 1st ex. sess. and to chapter 28C.04 RCW.

To Committee on Agriculture

HOUSE BILL NO. 1222, by Representatives Erak, Scott and Lux:

AN ACT Relating to public utility district levies; amending section 2, chapter 227, Laws of 1949 and RCW 54.16.200; amending section 13, chapter 288, Laws of 1971 ex. sess. as amended by section 88, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.04.140; amending section 134, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.52.043; amending section 1, chapter 2, Laws of 1973 as amended by section 1, chapter 194, Laws of 1973 1st ex. sess. and RCW 84.52.050; and repealing section 9, chapter 390, Laws of 1955, section 60, chapter 195, Laws of 1973 1st ex. sess., section 18, chapter 156, Laws of 1981 and RCW 54.16.080.

To Committee on Local Government

HOUSE BILL NO. 1223, by Representative Erak:

AN ACT Relating to unemployment compensation; adding a new section to chapter 50.22 RCW; making an appropriation; and declaring an emergency.

To Committee on Labor and Economic Development

HOUSE BILL NO. 1224, by Committee on Revenue and Representatives Van Dyken and Greengo:

AN ACT Relating to horse racing; amending section 1, chapter 16, Laws of 1980 and RCW 67.16.100; and adding a new section to chapter 67.16 RCW.

To Committee on Revenue

HOUSE BILL NO. 1225, by Representative Sommers:

AN ACT Relating to correctional facilities; and amending section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200.

To Committee on Institutions

HOUSE BILL NO. 1226, by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr:

AN ACT Relating to public employees; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 255, Laws of 1979 ex. sess. and RCW 43.03.010; amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding a new section to chapter 41.04 RCW; and creating a new section.

To Committee on Ways and Means

HOUSE JOINT MEMORIAL NO. 26, by Representatives Burns, Rinehart, Tupper, Grimm, Becker, Sherman, Thompson and Rust:

Requiring Congress to oppose further reductions in federal postsecondary student assistance programs.

To Committee on Higher Education

HOUSE CONCURRENT RESOLUTION NO. 43, by Representatives Williams and Stratton:

Establishing a joint select committee on Indian affairs.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 44, by Representatives Valle, Fiske and Pruitt:

Calling upon the department of licensing and professional associations to take appropriate action against professionals who have used a position of trust to sexually victimize their clients.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 45, by Representatives Hine, McDonald, King (J) and Teutsch:

Establishing the joint select committee on labor skills and the economy.

To Committee on Rules

HOUSE CONCURRENT RESOLUTION NO. 46, by Representatives Hine, Barnes, Tupper, Wang, Armstrong, Nelson (D) and Bender:

Providing for monitoring WPPSS by a legislative subcommittee.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills, memorial and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

February 26, 1982

HOUSE BILL NO. 344, Prime Sponsor: Representative Dawson, requiring mandatory automobile insurance. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

On page 9, following section 16 add a new section as follows:

"NEW SECTION. Sec. 17. To carry out this act, there is appropriated to the department of licensing from the highway safety fund for the biennium ending June 30, 1983, the sum of three hundred forty-five thousand, eight hundred and thirty-five dollars, or so much thereof as may be necessary."

Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; King (R), McGinnis, Monohon, Nisbet, Salatino, Scott.

Voting nay: Representatives Bond, Rosbach.

Not signing report: Representative Dickie.

Not attending: Representatives Eng, Sanders.

Rereferred to Committee on Ways and Means.

February 25, 1982

HOUSE BILL NO. 812, Prime Sponsor: Representative Eberle, requiring able AFDC recipients to work for public and private community service organizations. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Not attending: Representative Struthers, Vice Chairman.

Passed to Committee on Rules for second reading.

February 25, 1982

HOUSE BILL NO. 906, Prime Sponsor: Representative Chamberlain, creating the community economic revitalization board. Reported by Committee on Ways and Means.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, Nisbet, Thompson, Warnke, Williams.

MINORITY recommendation: Do not pass: Signed by Representative Sommers, Ranking Minority Member.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, McDonald.

Passed to Committee on Rules for second reading.

February 26, 1982

HOUSE BILL NO. 1093, Prime Sponsor: Committee on Natural Resources and Environmental Affairs, modifying the rate of increase in leases of state aquatic lands. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative King (J).

Passed to Committee on Rules for second reading.

February 25, 1982

HOUSE BILL NO. 1150, Prime sponsor: Representative Vander Stoep, modifying the laws regulating fitting and dispensing hearing aids. Reported by Committee on Human Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Mitchell, Chairman; Lewis, Vice Chairman;

Kreidler, Ranking Minority Member; Cole, Fiske, King (J), Leonard, North, Padden, Pruitt, Stratton, Teutsch, Vander Stoep, Wang.

Not attending: Representatives Houchen, Leonard, Winsley.

Passed to Committee on Rules for second reading.

February 25, 1982

SECOND SUBSTITUTE SENATE BILL NO. 3033, Prime Sponsor: Committee on Energy and Utilities, authorizing municipal corporation heating systems. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4 after "towns," strike "port district, and irrigation districts which distribute electricity" and insert "irrigation districts which distribute electricity, and port districts"

On page 1, line 20 after "or" strike "anaerobic respiration" and insert "anaerobic digestion"

On page 2, line 9 after "water." insert a new subsection:

"(7) 'Heat source' is meant to include but not be limited to any integral part or process of an industrial facility, cogeneration facility, electric power generation facility, geothermal well or spring, biomass energy system, solar collection facility, or energy extraction process."

Re-number succeeding subsections accordingly.

On page 3, line 6 after "condemnation" insert a comma

On page 4, beginning on line 5 strike all of subsection (9) and renumber the remaining subsections consecutively.

On page 4, line 17 after "advisable" insert "and finds that it is cost effective"

On page 4, line 23 after "funds" strike the period and insert ": PROVIDED, That any construction, alteration, or improvement of a heating system by any county, city, town, irrigation district or port district shall be in compliance with competitive bidding requirements in titles 35, 35A, 36, 53 and 87 RCW."

On page 5, line 16 after "their" strike "equitable" and insert "pro rata"

On page 5, line 17 after "system" strike the period and insert ": PROVIDED, That no potential customer may be compelled to subscribe to or connect to the heating system."

Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Hine, Isaacson, Schmidt, Scott, Sherman, Tupper, Vander Stoep, Wang.

Voting nay: Representative Sprague.

Not attending: Representatives Bond, Eberle, McCormick.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SENATE BILL NO. 3297, Prime Sponsor: Senator Vognild, permitting anti-arson requirements to be met for issuing or continuing fire insurance policies. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. It is the purpose of this chapter to reduce the incidence of arson fraud by requiring insurers to obtain specified information prior to issuing a fire insurance policy for certain structures and by authorizing insurers to cancel fire insurance policies when characteristics frequently associated with arson fraud are present.

NEW SECTION. Sec. 2. (1) The state fire marshal may designate certain classes of occupancy within a geographic area or may designate geographic areas as having an abnormally high incidence of arson. This designation shall not be a valid reason for cancellation, refusal to issue or renew, modification, or increasing the premium for any fire insurance policy.

(2) A fire insurance policy may not be issued to insure any property within a class of occupancy within a geographic area or within a geographic area designated by the state fire marshal as having an abnormally high incidence of arson until the applicant has submitted an anti-arson application and the insurer or the insurer's representative has inspected the property. The application shall be prescribed by the state fire marshal and shall contain but not be limited to the following:

(a) The name and address of the prospective insured and any mortgagees or other parties having an ownership interest in the property to be insured;

(b) The amount of insurance requested and the method of valuation used to establish the amount of insurance;

(c) The dates and selling prices of the property, if any, during the previous three years;

(d) Fire losses exceeding one thousand dollars during the previous five years for property in which the prospective insured held an equity interest or mortgage;

(e) Current corrective orders pertaining to fire, safety, health, building, or construction codes that have not been complied with within the time period or any extension of such time period authorized by the authority issuing such corrective order applicable to the property to be insured;

(f) Present or anticipated occupancy of the structure, and whether a certificate of occupancy has been issued;

(g) Signature and title, if any, of the person submitting the application.

(3) If the facts required to be reported by subsection (2) of this section materially change, the insured shall notify the insurer of any such change within fourteen days.

(4) An anti-arson application is not required for: (a) Fire insurance policies covering one to four-unit owner-occupied residential dwellings; (b) policies existing as of the effective date of this act; or (c) the renewal of these policies.

(5) An anti-arson application shall contain a notice stating: 'Designation of a class of occupancy within a geographic area or geographic areas as having an abnormally high incidence of arson shall not be a valid reason for cancellation, refusal to issue or renew, modification, or increasing the premium for any fire insurance policy.'

NEW SECTION. Sec. 3. Notwithstanding the provisions of RCW 48.18.290, where two or more of the following conditions exist, an insurer may, under section 4 of this act, cancel a fire insurance policy for any structure:

(1) Which, without reasonable explanation, is unoccupied for more than sixty consecutive days, or in which at least sixty-five percent of the rental units are unoccupied for more than one hundred twenty consecutive days unless the structure is maintained for seasonal occupancy or is under construction or repair;

(2) On which, without reasonable explanation, progress toward completion of permanent repairs has not occurred within sixty days after receipt of funds following satisfactory adjustment or adjudication of loss resulting from a fire;

(3) Which, because of its physical condition, is in danger of collapse;

(4) For which, because of its physical condition, a vacation or demolition order has been issued, or which has been declared unsafe in accordance with applicable law;

(5) From which fixed and salvageable items have been removed, indicating an intent to vacate the structure;

(6) For which, without reasonable explanation, heat, water, sewer, and electricity are not furnished for sixty consecutive days; and

(7) Which is not maintained in substantial compliance with fire, safety, and building codes.

NEW SECTION. Sec. 4. An insurer may cancel a fire insurance policy when the requirements of section 3 of this act are met only in accordance with the following procedure:

(1) The insurer shall, not less than five days prior to cancellation, issue written notice of cancellation to the insured or the insured's representative in charge of the policy. The notice shall contain at least the following:

(a) The date that the policy will be canceled;

(b) A description of the specific facts justifying the cancellation;

(c) A copy of this chapter; and

(d) The name, title, address, and telephone number of the insurer's employee who may be contacted regarding cancellation of the policy.

(2) The notice required by this section shall be actually delivered or mailed to the insured by certified mail, return receipt requested, and in addition by first class mail. A copy of the notice shall, at the time of delivery or mailing to the insured, or the insured's representative in charge of the policy, be mailed to the insurance commissioner.

(3) The insurer shall also comply with the requirements of RCW 48.18.290(1) (b), (2) and (3), and shall provide not less than twenty days notice of cancellation to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder except as provided in subsection (1) of this section.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in an amount as computed on a pro rata basis, must be actually paid or mailed to the insured or other person entitled thereto as shown by the policy or any endorsement thereon, as soon as possible, and no later than thirty days after the date that the notice of cancellation was issued.

NEW SECTION. Sec. 5. (1) Any fire insurance policy issued in violation of this chapter shall not be cancelled by the insurer under the procedures authorized by this chapter.

(2) Cancellation of a fire insurance policy in violation of this chapter shall constitute a violation of this title.

NEW SECTION. Sec. 6. Rules designating geographic areas or classes of occupancy as having an abnormally high incidence of arson, and any other rules necessary to implement this chapter shall be adopted by the state fire marshal under chapter 34.04 RCW.

Sec. 7. Section .18.29, chapter 79, Laws of 1947 as last amended by section 7, chapter 102, Laws of 1980 and RCW 48.18.290 are each amended to read as follows:

(1) Cancellation by the insurer of any policy which by its terms is cancellable at the option of the insurer, or of any binder based on such policy, may be effected as to any interest only upon compliance with either or both of the following:

(a) Written notice of such cancellation must be actually delivered or mailed to the insured or to his representative in charge of the subject of the insurance not less than twenty days prior to the effective date

of the cancellation except for cancellation of insurance policies for nonpayment of premiums, which notice shall be not less than ten days prior to such date and except for cancellation of fire insurance policies under chapter 48.... RCW (sections 1 through 6 of this act), which notice shall not be less than five days prior to such date;

(b) Like notice of not less than twenty days must also be so delivered or mailed to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder.

(2) The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his last address as known to the insurer or as shown by the insurer's records, with proper pre-paid postage affixed, in a letter depository of the United States post office. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to, the addressee.

(3) The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in amount as computed on the pro rata basis, must be actually paid to the insured or other person entitled thereto as shown by the policy or by any endorsement thereon, or be mailed to the insured or such person as soon as possible, and no later than thirty days after the date of notice of cancellation to the insured for homeowners', dwelling fire, and private passenger auto. Any such payment may be made by cash, or by check, bank draft, or money order.

(5) This section shall not apply to contracts of life or disability insurance without provision for cancellation prior to the date to which premiums have been paid.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 48 RCW."

On page 1, line 1 of the title after "insurance;" strike the remainder of the title and insert "amending section .18.29, chapter 79, Laws of 1947 as last amended by section 7, chapter 102, Laws of 1980 and RCW 48.18.290; adding a new chapter to Title 48 RCW; and prescribing penalties."

Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, King (R), McGinnis, Monohon, Rosbach, Salatino.

Voting nay: Representatives Eng, Sanders.

Not attending: Representatives McGinnis, Nisbet, Scott.

Passed to Committee on Rules for second reading.

February 25, 1982

REENGROSSED SENATE BILL NO. 3446, Prime Sponsor: Senator Lee, revising laws relating to boundary review boards. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 10, chapter 189, Laws of 1967 and RCW 36.93.100 are each amended to read as follows:

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93-.090 when any of the following shall occur within sixty days of the filing of a notice of intention:

(1) The chairman or any three members of the boundary review board files a request for review;

(2) Any governmental unit affected files a request for review;

(3) A petition requesting review is filed and is signed by

(a) five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) an owner or owners of property consisting of five percent of the assessed valuation within such area.

If a period of sixty days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

If a review concerning a proposed incorporation of a city or town is requested, the board shall make a finding as prescribed in RCW 36.93.150 within one hundred twenty days after the filing of such a request for review. If this period of one hundred twenty days shall elapse without the board making a finding as prescribed in RCW 36.93.150, the proposed incorporation shall be deemed approved.

Sec. 2. Section 17, chapter 189, Laws of 1967 as amended by section 1, chapter 142, Laws of 1979 ex. sess. and RCW 36.93.170 are each amended to read as follows:

In reaching a decision on a proposal or an alternative, the board shall consider the factors affecting such proposal, which shall include, but not be limited to the following:

(1) Population and territory; population density; land area and land uses; comprehensive use plans and zoning; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence of prime agricultural soils and agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities((:));

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in

area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units((-)); and

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

The provisions of chapter 43.21C RCW, State Environmental Policy, shall not apply to incorporation proceedings covered by chapter 35.02, Incorporation Proceedings, or 35.03 RCW, Incorporation of First Class Cities, or 35A.03 RCW, Incorporation as a Noncharter Code City, or 35A.04 RCW, Incorporation of Intercountry Area as a Noncharter Code City.

Sec. 3. Section 35.02.150, chapter 7, Laws of 1965, as last amended by section 1, chapter 164, Laws of 1973 1st ex. sess. and RCW 35.02.150 are each amended to read as follows:

After the filing of any petition for incorporation with the county auditor, and pending its final disposition as provided for in this chapter, no other petition for incorporation (~~and no petition or resolution for annexation~~) which embraces any of the territory included therein shall be acted upon by the county auditor or the (~~board of~~) county (~~commissioners;~~) legislative authority (~~or by any city or town clerk, city or town council;~~) or by any other public official or body that might otherwise be empowered to receive or act upon such a petition: PROVIDED, That any petition for incorporation may be withdrawn, or a new petition embracing other or different boundaries may be substituted therefor, by a majority of the signers thereof, at any time before such petition has been certified by the county auditor to the (~~board of~~) county (~~commissioners;~~) legislative authority in which case the same proceedings shall be taken as in the case of an original petition. A boundary review board, county auditor, county legislative authority, or any other public official or body may act upon a petition for annexation before considering or acting upon a petition for incorporation which embraces some or all of the same territory, without regard to priority of filing.

Sec. 4. Section 35A.03.140, chapter 119, Laws of 1967 ex. sess. and RCW 35A.03.140 are each amended to read as follows:

After the filing of any petition for incorporation with the county auditor, and pending final disposition as provided for in this chapter, no other petition for incorporation (~~or annexation~~) which embraces any of the territory included therein shall be acted upon by the county auditor or the (~~board of~~) county (~~commissioners;~~) legislative authority (~~or by any city or town clerk, city or town council;~~) or by any other public official or body that might otherwise be empowered to receive or act upon such a petition: PROVIDED, That any petition for incorporation may be withdrawn or a new petition embracing other or different boundaries or another plan of government may be substituted therefor, by a majority of the signers thereof, at any time before such petition has been certified by the county auditor to the (~~board of~~) county (~~commissioners;~~) legislative authority in which case the same proceedings shall be taken as in the case of an original petition. A boundary review board, county legislative authority, or any other public official or body may act upon a petition for annexation before considering or acting upon a petition for incorporation which embraces some or all of the same territory, without regard to priority of filing.

NEW SECTION. Sec. 5. There is added to chapter 36.93 RCW a new section to read as follows:

A boundary review board, county auditor, county legislative authority, or any other public official or body may act upon a petition for annexation before considering or acting upon a petition for incorporation which embraces some or all of the same territory, without regard to priority of filing.

NEW SECTION. Sec. 6. There is added to chapter 43.21C RCW a new section to read as follows:

The incorporation of a city or town is exempted from compliance with this chapter.

Sec. 7. Section 35.03.040, chapter 7, Laws of 1965 as last amended by section 16, chapter 126, Laws of 1979 ex. sess. and RCW 35.03.040 are each amended to read as follows:

The fifteen freeholders receiving the highest number of votes at such election shall be certified by the county auditor as elected as freeholders to form a charter for said city provided a majority of those voting at the election referred to in RCW 35.03.030 vote in favor of incorporation. It shall be the duty of the persons so elected to convene within ten days after their election and frame a charter for said city, and within sixty days thereafter they, or a majority of their number, shall submit such charter to the county legislative authority which shall (~~within ninety days thereafter~~) cause another election to be called and held in said city and to be conducted in the manner required for the calling of a special election in Title 29 RCW and to be held at the next special election date provided for in RCW 29.13.010 that is at least sixty days after the approval of the proposition referred to in RCW 35.03.030, as now or hereafter amended, except as otherwise provided in this chapter, and in conformity with Article 11, section 10 of the Constitution, for the purpose of submitting said charter to the qualified electors of said city and for the election of the various elective officials to the respective offices named in said charter. The form of ballot at such election shall be 'for proposed charter,' 'against proposed charter,' and the names of the candidates for the respective offices named in said proposed charter. At the first election of officials for said city any qualified elector of said city may become a candidate for any of the elective offices set forth in such proposed charter without nomination by filing with the proper election officials of the county a declaration in writing that he desires to be a candidate for a particular office (naming it), such declaration to be filed not earlier than sixty nor later than thirty days prior to such election. Candidates for council positions shall file for a numbered position as provided by RCW 29.21.017. The candidates receiving the highest number of votes for the respective offices shall be declared elected to such office and the county auditor shall issue a certificate of such election. The newly elected officials shall assume office when qualified in accordance with RCW 29.01.135. After the first election the nomination and election of officials for said city shall be as prescribed in the charter adopted by the

people and the laws of the state. No person shall be entitled to vote at such election unless he shall be a qualified elector of said city and shall have resided within the limits of said city for at least thirty days preceding such election. (~~If a majority of all the votes cast on the proposed charter are not in favor of the proposed charter, no further proceeding shall be had on the petition for incorporation filed pursuant to RCW 35.03.020, but this shall not bar any new proceeding for such purpose.:~~)

NEW SECTION. Sec. 8. There is added to chapter 35.03 RCW a new section to read as follows:

(1) If the proposition referred to in RCW 35.03.030 is approved by majority vote, the county legislative authority shall declare the territory to be incorporated as a noncharter code city. The effective date of the incorporation shall be when the county legislative authority files the declaration of the election results in favor of the incorporation in the office of the secretary of state. The city shall act under the provisions of Title 35A RCW as a noncharter code city and possess the powers of a noncharter code city unless the subsequent question of adopting the yet to be drafted proposed charter is approved.

The person who is elected as a freeholder receiving the greatest number of votes shall act as the mayor and the seven persons who are elected as freeholders receiving the next greatest number of votes shall act as the city council unless the city governing body is altered pursuant to an approved first class city charter. Such persons shall take office immediately after they are elected and qualified.

(2) Should the proposed charter be rejected by the voters, the city shall remain as a noncharter code city and the mayor and the seven member council shall remain in office until their successors are elected and qualified.

(3) The provisions of this section shall retroactively apply to any area proposed to be incorporated under this chapter if the proposition referred to in RCW 35.03.030 has not been submitted to the voters prior to the effective date of this act.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, on line 2 of the title, after "towns" strike the remainder of the title and insert "amending section 10, chapter 189, Laws of 1967 and RCW 36.93.100; amending section 17, chapter 189, Laws of 1967 as amended by section 1, chapter 142, Laws of 1979 ex. sess. and RCW 36.93.170; amending section 35.02-.150, chapter 7, Laws of 1965, as last amended by section 1, chapter 164, Laws of 1973 1st ex. sess. and RCW 35.02.150; amending section 35A.03.140, chapter 119, Laws of 1967 ex. sess. and RCW 35A.03.140; amending section 35.03.040, chapter 7, Laws of 1965 as last amended by section 16, chapter 126, Laws of 1979 ex. sess. and RCW 35.03.040; adding a new section to chapter 35.03 RCW; adding a new section to chapter 36.93 RCW; and adding a new section to chapter 43.21C RCW."

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Burns, Chamberlain, Cole, Garrett, James, Kreidler, North, Stratton, Tilly, Van Dyken.

Not attending: Representatives Barrett, Berleen, Brown, Leonard.

Passed to Committee on Rules for second reading.

February 26, 1982

SENATE BILL NO. 3795, Prime Sponsor: Senator Sellar, requiring the payment of premiums for health care services to the employer during labor disputes. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 117, Laws of 1975 1st ex. sess. and RCW 48.44.250 are each amended to read as follows:

Any employee whose compensation includes a health care services contract providing health care services expenses, the premiums for which are paid in full or in part by an employer including the state of Washington, its political subdivisions, or municipal corporations, or paid by payroll deduction, may pay the premiums as they become due directly to the (~~health care service contractor~~) contract holder whenever the employee's compensation is suspended or terminated directly or indirectly as the result of a strike, lockout, or other labor dispute, for a period not exceeding six months and at the rate and coverages as the health care services contract provides. During that period of time such contract may not be altered or changed. Nothing in this section shall be deemed to impair the right of the (~~insurer~~) health care service contractor to make normal decreases or increases of the premium rate upon expiration and renewal of the (~~policy~~) contract, in accordance with the provisions of the (~~policy~~) contract. Thereafter, if such health care services coverage is no longer available, then the employee shall be given the opportunity to purchase an individual health care services contract at a rate consistent with rates filed by the health care service contractor with the commissioner. When the employee's compensation is so suspended or terminated, the employee shall be notified immediately by the contract holder in writing, by mail addressed to the address last of record with the contract holder, that the employee may pay the premiums to the (~~health care service contractor~~) contract holder as they become due as provided in this section.

Payment of the premiums must be made when due or the coverage may be terminated by the health care service contractor.

The provisions of any health care services contract contrary to provisions of this section are void and unenforceable after May 29, 1975."

Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Scott.

Not attending: Representatives Eng, Sanders.

Passed to Committee on Rules for second reading.

February 25, 1982

ENGROSSED SENATE BILL NO. 4484, Prime Sponsor: Senator Haley, establishing commercial zones and terminal areas for trucks. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Gallagher, Garrett, Garson, Hankins, Lundquist, McCormick, Patrick, Prince, Schmidt, Sherman, Smith, Walk.

Not signing report: Representatives Erak, Sprague.

Not attending: Representatives Clayton, Vice Chairman; Bender, Eberle, Owen, Smith.

Passed to Committee on Rules for second reading.

February 26, 1982

SENATE BILL NO. 4506, Prime Sponsor: Senator Clarke, authorizing the state treasurer to alter certificate of deposit allocation. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Struthers; Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Thompson, Warnke.

Not attending: Representatives Becker, Williams.

Passed to Committee on Rules for second reading.

February 26, 1982

SUBSTITUTE SENATE BILL NO. 4561, Prime Sponsor: Committee on Commerce and Labor, revising authorized limits for certain professional and other fees. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Clayton, Cole, Flanagan, Hankins, Lux, Smith.

Voting nay: Representative Brown.

Not attending: Representatives Eberle, Garrett, Monohon.

Passed to Committee on Rules for second reading.

February 26, 1982

ENGROSSED SENATE BILL NO. 4569, Prime Sponsor: Senator Bluechel, implementing the law relating to investments as assets of domestic insurers. Reported by Committee on Financial Institutions and Insurance.

MAJORITY recommendation: Do pass. Signed by Representatives Dawson, Chairman; Bickham, Vice Chairman; Lux, Ranking Minority Member; Bond, Dickie, King (R), McGinnis, Monohon, Nisbet, Rosbach, Salatino, Scott.

Not attending: Representatives Bond, Eng, Sanders.

Passed to Committee on Rules for second reading.

February 26, 1982

SENATE BILL NO. 4644, Prime Sponsor: Senator Scott, establishing the state investment board commingled trust fund. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke.

Not attending: Representatives Becker, Williams.

Passed to Committee on Rules for second reading.

February 26, 1982

ENGROSSED SENATE BILL NO. 4681, Prime Sponsor: Senator Zimmerman, appropriating funds to the department of natural resources. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representatives Fiske, Vice Chairman; King (J).

Passed to Committee on Rules for second reading.

February 26, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4708, Prime Sponsor: Committee on Ways and Means, implementing laws relating to horse racing. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Thompson, Warnke.

Not attending: Representatives Becker, Williams.

Passed to Committee on Rules for second reading.

February 26, 1982

SENATE BILL NO. 4717, Prime Sponsor: Senator Lee, giving free copies of state statutes and rules to legislative committees. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; ~~((six))~~ two to the Library of Congress; ~~((one to each United States executive department as defined by section 1, title 5, of the United States Code, three))~~ one to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; ~~((one))~~ two to each United States district court room within this state; ~~((one))~~ two to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; ~~((one to the judge advocate's office at Fort Lewis; one to each member of the legislature, session law indexer;))~~ two each to the president of the senate, secretary ~~((and assistant secretary))~~ of the senate, speaker of the house of representatives, and chief clerk ((and the assistant chief clerk)) of the house of representatives ~~((; the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned; one copy each to the Olympia representatives of the Associated Press and the United Press))~~ and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.

(2) Copies, for official use only, shall be distributed as follows: ~~((One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except))~~ Two copies to the governor ((who shall receive three copies)); one each to the ((adjutant general, the)) state historical society((;)) and the state bar association((; and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room)); and one copy to each prosecuting attorney ((and one for each of his deputies)).

Sufficient copies shall be furnished for the use of the supreme court, the court of appeals, the superior courts, and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy ~~((each))~~ to the president of the Washington State University and four copies to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law ~~((in the counties of the first, second, and~~

third class)); one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session.

It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full-time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them:))

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each ((member of the legislature,)) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) ((A set of the)) House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be placed ((on the desk of each legislator for his use during the ensuing session, which shall be returned to the state law library at the expiration of the legislative session)) in the house and senate chambers for use of legislators as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be ((fifteen)) thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and ((ten dollars)) at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use ((four thousand copies)) separate copies of each act filed in the office of secretary of state within ten days after the filing thereof((, and in the order of its chapter number)).

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least ((two thousand)) six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows:

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was

enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund.

NEW SECTION. Sec. 6. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed.*

On page 1, line 1 of the title, after "publications;" strike the remainder of the title and insert "amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040."

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representatives Fiske, Vice Chairman; King (J).

Passed to Committee on Rules for second reading.

February 26, 1982

SENATE BILL NO. 4718, Prime Sponsor: Senator Moore, revising laws regulating veterinarians. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 30 after "public" insert "and do not prevent animal technicians from inoculating an animal"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Flanagan, Hankins, Lux, Monohon, Smith.

Not attending: Representatives Eberle, Garrett.

Passed to Committee on Rules for second reading.

The Speaker (Mr. Amen presiding) declared the House to be at ease until 12:00 noon.

NOON SESSION

The House was called to order at 12:00 noon by the Speaker.

MESSAGE FROM THE SENATE

February 26, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4786,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1227, by Representative Erak:

AN ACT Relating to sales and use taxation; amending section 1, chapter 8, Laws of 1970 ex. sess. as last amended by section 3, chapter 144, Laws of 1981 and RCW 82.04.050; amending section 82.04.060, chapter 15, Laws of 1961 and RCW 82.04.060; amending section 82.04.190, chapter 15, Laws of 1961

as last amended by section 2, chapter 90, Laws of 1975 1st ex. sess. and RCW 82.04.190; amending section 82.04.470, chapter 15, Laws of 1961 as amended by section 43, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.04.470; amending section 82.08.080, chapter 15, Laws of 1961 as last amended by section 48, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.080; amending section 3, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 144, Laws of 1981 and RCW 82.14.020; adding a new section to chapter 82.08 RCW; providing an effective date; and declaring an emergency.

To Committee on Revenue

HOUSE BILL NO. 1228, by Committee on Appropriations – General Government and Representative Williams:

AN ACT Relating to public employee productivity in times of financial crises; adding new sections to chapter 43.88 RCW; adding a new section to chapter 28A.58 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; and adding a new section to chapter 340, Laws of 1981 as amended by chapter 14, Laws of 1981 2nd ex. sess.

To Committee on Appropriations – General Government

HOUSE BILL NO. 1229, by Committee on Appropriations – Human Services and Representatives Tilly, Houchen, Stratton, Wang, Isaacson, Johnson and Brekke:

AN ACT Relating to alcoholic beverage control; amending section 24–A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; adding a new section to chapter 66.24 RCW; creating new sections; declaring an emergency; providing an effective date; and providing an expiration date.

To Committee on Appropriations – Human Services

HOUSE BILL NO. 1230, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to appropriations; amending section 1, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.010; amending section 27, chapter 143, Laws of 1981 (uncodified); amending section 74, chapter 340, Laws of 1981 (uncodified); amending section 2, chapter 143, Laws of 1981 (uncodified); amending section 13, chapter 143, Laws of 1981 (uncodified); adding a new section to chapter 143, Laws of 1981; repealing section 39, chapter 143, Laws of 1981 (uncodified); and declaring an emergency.

To Committee on Ways and Means

ENGROSSED SUBSTITUTE SENATE BILL NO. 4786, by Committee on Social and Health Services (originally sponsored by Senators Lee, Hayner, Deccio, Scott and Wojahn):

Modifying the community mental health services act.

To Committee on Appropriations – Human Services

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944, by Committee on Ways and Means (originally sponsored by Senators Gallagher, Zimmerman, Guess, Hansen, Peterson and Newhouse):

Modifying provisions on oil and gas and imposing oil and gas severance and conservation taxes.

To Committee on Ways and Means

MOTION

On motion of Mr. Nelson (G), the bills listed on today's supplemental agenda were considered first reading under the fourth order of business and were referred to the committees designated.

The Speaker declared the House to be at ease until 6:00 p.m.

EVENING SESSION

The House was called to order at 6:00 p.m. by the Speaker.

MESSAGE FROM THE GOVERNOR

February 26, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on February 26, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 385: Relating to administrative rules, regulatory fairness act.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGE FROM THE SENATE

March 1, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 500,
HOUSE BILL NO. 896,
HOUSE JOINT MEMORIAL NO. 15,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1231, by Committee on Local Government and Representatives Isaacson, Hine, Eberle, Burns, James, Kreidler, Lundquist, Chamberlain, Johnson and Winsley:

AN ACT Relating to the consideration of local excise tax revenues arising from local purchases in awarding purchase contracts; and adding a new section to chapter 39.30 RCW.

MOTION

On motion of Mr. Nelson (G), House Bill No. 1231 was referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

March 1, 1982

ENGROSSED SENATE BILL NO. 3898, Prime Sponsor: Senator Rasmussen, changing the name of the utilities and transportation commission to the public service commission. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Hankins, Lundquist, McCormick, Patrick, Prince, Sherman, Smith, Sprague.

Voting nay: Representatives Owen, Schmidt, Walk.

Not signing report: Representative Eberle.

Not attending: Representatives Garrett, Garson.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 4460, Prime Sponsor: Committee on Transportation, revising bicycle laws. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Eberle, Erak, Gallagher, Hankins, Lundquist, McCormick, Owen, Patrick, Prince, Schmidt, Sherman, Smith, Sprague, Walk.

Not attending: Representatives Bender, Erak, Garrett, Garson, Hankins, Lundquist, McCormick, Owen, Sprague.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4544, Prime Sponsor: Senator von Reichbauer, permitting the department of licensing to supply lists of vehicle owners for certain purposes. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 after "agency" and before the semicolon insert ". Only such parts of the list as are required for completion of the work required of the agent or contractor shall be provided to such agent or contractor"

Signed by Representatives Wilson, Chairman; Clayton, Vice Chairman; Martinis, Ranking Minority Member; Bender, Burns, Cantu, Chamberlain, Erak, Gallagher, Hankins, McCormick, Patrick, Prince, Sherman, Smith, Sprague, Walk.

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

Voting nay: Representatives Wilson, Chairman; Eberle, Lundquist, Owen, Schmidt, Smith.

Not attending: Representatives Garrett, Garson.

Passed to Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 46,
SUBSTITUTE HOUSE BILL NO. 449.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), SENATE BILL NO. 4436 was rereferred from Committee on Agriculture to Committee on Ethics, Law and Justice.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Tuesday, March 2, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 2, 1982.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Theresa Schrufer and Chris Collison. Prayer was offered by Pastor Cecil Tellekson of Grace Lutheran Church of Wenatchee.

Reading of the Journal of the previous days was dispensed with and they were ordered to stand approved.

MESSAGE FROM THE SENATE

March 2, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 46,
SUBSTITUTE HOUSE BILL NO. 449,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 973, by Committee on Human Services (originally sponsored by Representatives Wang, Mitchell, Barnes, Kreidler, Vander Stoep, Nelson, D., Rinehart, Tupper, Stratton, Pruitt, Sherman, Lux and Armstrong):

Providing for reduced temperature settings of residential water heaters.

The bill was read the second time.

Mr. Wang moved adoption of the following amendment:

On page 1, after line 20 strike all the material down to and including "tag." on page 2, line 22 and insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 19.27 RCW a new section to read as follows:

(1) The thermostat of a new water heater offered for sale or lease in this state for use in a residential unit, shall be preset by the manufacturer no higher than one hundred twenty degrees Fahrenheit (or sixty-seven degrees Celsius) or the minimum setting on any water heater which cannot be set as low as that temperature.

(2) The thermostat of an individual water heater furnished in a residential unit leased or rented in this state, upon occupancy by a new tenant, shall be set by the owner or agent at a temperature not higher than one hundred twenty degrees Fahrenheit (sixty-seven degrees Celsius).

(3) Nothing in this section shall prohibit an owner of an owner-occupied residential unit or resident of a leased or rented residential unit from readjusting the temperature setting after occupancy.

(4) The utility providing energy for any water heater under this section shall at least annually include in its billing a statement:

(a) Recommending that water heaters be set no higher than one hundred twenty degrees Fahrenheit to prevent severe burns and reduce excessive energy consumption; and

(b) That the thermostat of an individual water heater furnished in a residential unit leased or rented in this state to new tenants shall be set no higher than one hundred twenty degrees Fahrenheit pursuant to chapter 19.27 RCW.

(5) The manufacturer of a water heater under this section which is offered for sale or installed after the effective date of this act shall have a tag approved as to form by the state energy office, or its statutory successor, attached to the thermostat access plate or immediately adjacent to exposed thermostats. The tag shall state that the thermostat settings above the preset temperature may cause severe burns and consume excessive energy. Any governmental official responsible for enforcing building codes may inspect the water heater for the presence of the tag."

Representatives Wang and Mitchell spoke in favor of the amendment, and it was adopted.

On motion of Mr. Wang, the following amendment to the title was adopted:

On page 1, line 1 of the title strike "new sections" and insert "a new section"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 973, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Hankins, Isaacson, Smith.

Not voting: Representatives Chandler, Clayton, Dickie, Fiske, Garrett, Leonard, Winsley.

Engrossed Substitute House Bill No. 973, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 998, by Representatives Chandler, Salatino, McDonald, Johnson, O'Brien and Hankins:

Authorizing increase in levies for school district maintenance and operation purposes.

The bill was read the second time.

Committee on Appropriations - Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 32nd Day, February 11, 1982.)

Mr. McDonald moved adoption of the committee amendment.

Mr. McDonald spoke in favor of the amendment, and Mr. Taylor spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 998, and the amendment was not adopted by the following vote: Yeas, 34; nays, 58; not voting, 6.

Voting yea: Representatives Amen, Barnes, Brown, Chandler, Eberle, Eng, Erak, Fancher, Gallagher, Garson, Johnson, King R., Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nisbet, North, O'Brien, Owen, Prince, Rosbach, Salatino, Scott, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Fiske, Flanagan, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., Kreidler, Lewis, Lundquist, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Padden, Patrick, Pruitt, Rinehart, Sanders, Schmidt, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Wilson.

Not voting: Representatives Garrett, Leonard, Rust, Sommers, Teutsch, Winsley.

MOTION FOR RECONSIDERATION

Mr. Nelson (G), having voted on the prevailing side, moved that the House immediately reconsider the vote by which the committee amendment was not adopted.

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, it's my understanding that every member who is on the floor has to vote. I noticed that Representative Rust did not vote and she is sitting in her chair."

The Speaker (Mr. Amen presiding): "Representative Hastings, your point if well taken. In the future we will try to monitor more closely."

POINT OF PERSONAL PRIVILEGE

Ms. Rust: "The amendments were not on our desks, and there is a rule that the amendments should be on the desks. I was waiting for the amendment to be distributed before I voted."

The motion to reconsider was carried.

MOTION

On motion of Mr. Nelson (G), further consideration of House Bill No. 998 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 4464, by Senators Gallagher, Peterson, Sellar and Conner (by Department of Fisheries request):

Modifying provisions relating to crab fishing.

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

SUBSTITUTE SENATE BILL NO. 4449, by Committee on Judiciary (originally sponsored by Senator Conner):

Increasing the number of judges in Clallam and Jefferson counties.

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

SUBSTITUTE SENATE BILL NO. 4826, by Committee on Transportation (originally sponsored by Senators Patterson, Gallagher, Peterson and Hansen):

Modifying provisions relating to lights on law enforcement vehicles.

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

SUBSTITUTE SENATE BILL NO. 4716, by Committee on Judiciary (originally sponsored by Senator Clarke - by Secretary of State request):

Revising filing procedures, fee schedules, and requirements for laws administered by the secretary of state.

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

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

The Speaker called the House to order.

SENATE BILL NO. 4713, by Senators Patterson, Hansen, Zimmerman and Bottiger:

Adjusting the distribution formula for the motor vehicle fund.

The bill was read the second time.

Mr. Barr moved adoption of the following amendments by Representatives Barr and Fancher:

On page 8, line 26 after "than" strike "eighty-five percent of"

On page 8, line 28 strike "eighty-five" and insert "one hundred"

Mr. Barr spoke in favor of the amendments, and Representatives Wilson and Martinis spoke against them.

Mr. Barr spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Barr and Fancher to Senate Bill No. 4713, and the amendments were not adopted by the following vote: Yeas, 26; nays, 64; not voting, 8.

Voting yea: Representatives Amen, Barr; Barrett, Bond, Chamberlain, Clayton, Eberle, Fancher, Fiske, Flanagan, Garson, Hastings, Isaacson, James, McCormick, Monohon, Nickell, Nisbet, Padden, Sanders, Smith, Stratton, Struthers, Taylor, Tilly, Van Dyken.

Voting nay: Representatives Addison, Armstrong, Barnes, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McDonald, McGinnis, Mitchell, Nelson D., North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Sprague, Teutsch, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Chandler, Garrett, Houchen, King J., Maxie, Nelson G. A., Winsley.

STATEMENT FOR THE JOURNAL

I wish the record to show that I changed my vote on the Barr/Fancher amendment to Senate Bill No. 4713 from "Nay" to "Yea."

MICHAEL MCGINNIS, 6th District.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick, Garrett and Eberle:

On page 8, after line 32 add a new section as follows:

"NEW SECTION. Sec. 4. There is added to chapter 46.68 RCW a new section to read as follows:

Notwithstanding the provisions of section 3 of this 1982 act, the gas tax distribution for any particular county shall be reduced by the amount of road levy diversion from the county road fund for other county budget purposes."

Representatives Patrick and Eberle spoke in favor of the amendment, and Representatives Barrett, Martinis, Mitchell and Brown spoke against it.

Mr. Patrick spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick and others to Senate Bill No. 4713, and the amendment was not adopted by the following vote: Yeas, 18; nays, 76; not voting, 4.

Voting yea: Representatives Barnes, Berleen, Cantu, Chandler, Clayton, Dawson, Eberle, Nickell, Nisbet, North, Patrick, Sanders, Schmidt, Sprague, Tilly, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Cole, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams.

Not voting: Representatives Garrett, Leonard, Nelson G. A., Winsley.

Senate Bill No. 4713 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4438, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying the laws governing commission merchants.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 40th Day, February 19, 1982.)

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

Substitute Senate Bill No. 4438 as amended by the House was passed to Committee on Rules for third reading.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 500,
HOUSE BILL NO. 896,
HOUSE JOINT MEMORIAL NO. 15.

On motion of Mr. Nelson (G), the House resumed consideration of House Bill No. 998 on second reading.

HOUSE BILL NO. 998:

The Speaker stated the question before the House to be reconsideration of the committee amendment.

Mr. McDonald spoke in favor of the amendment, and Mr. Taylor spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of adoption of the committee amendment to House Bill No. 998, and the amendment was adopted by the following vote: Yeas, 56; nays, 36; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Eberle, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garson, Greengo, Hine, Isaacson, Johnson, King J., King R., Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Owen, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sommers, Sprague, Stratton, Teutsch, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Becker, Berleen, Bickham, Bond, Cantu, Dawson, Dickie, Ehlers, Fiske, Flanagan, Granlund, Grimm, Hastings, Heck, Houchen, James, Kaiser, Lewis, Lundquist, Maxie, Nickell, North, Padden, Patrick, Pruitt, Schmidt, Sherman, Smith, Struthers, Taylor, Thompson, Tilly, Valle, Wilson.

Not voting: Representatives Clayton, Garrett, Hankins, Kreidler, Leonard, Winsley.

Mr. Warnke moved adoption of the following amendment:

On page 1, after line 23 add a new subsection as follows:

"(c) That amount equal to each school district's prior year transportation allocation as defined in RCW 28A.41.505 through 28A.41.540 converted to one hundred percent of formula minus each school districts transportation allocation for such school year; plus"

Remember the following subsections consecutively.

Mr. Warnke spoke in favor of the amendment, and Representatives Taylor, Chandler, Flanagan and McDonald spoke against it.

Mr. Warnke spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Warnke to House Bill No. 998, and the amendment was not adopted by the following vote: Yeas, 27; nays, 66; not voting, 5.

Voting yea: Representatives Becker, Brown, Eberle, Eng, Erak, Gallagher, King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, North, O'Brien, Owen, Patrick, Salatino, Scott, Sherman, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Ehlers, Garrett, Leonard, Tupper, Winsley.

On motion of Mr. McDonald the committee amendment to the title was adopted.

The bill was ordered engrossed. Ms. Fancher moved that the rules be suspended, the second reading considered the third and the bill be placed on final passage.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed House Bill No. 998 on final passage, and the motion failed to receive the two-thirds required majority, by the following vote: Yeas, 43; nays, 50; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bond, Brown, Burns, Cantu, Chamberlain, Dawson, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Johnson, King R., Kreidler, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Scott, Sprague, Struthers, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Becker, Bender, Berleen, Bickham, Brekke, Chandler, Cole, Dickie, Eberle, Ehlers, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., Lewis, Lundquist, Lux, Martinis, McDonald, McGinnis, Nickell, North, Padden, Pruitt, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Stratton, Taylor, Valle, Walk, Williams, Wilson.

Not voting: Representatives Clayton, Garrett, Leonard, Thompson, Winsley.

Engrossed House Bill No. 998 was passed to Committee on Rules for third reading.

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Garrett and Winsley, who were excused.

MESSAGE FROM THE SENATE

March 2, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 500,
HOUSE BILL NO. 896,
HOUSE JOINT MEMORIAL NO. 15,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 174 with the following amendments:

On page 3, line 32 insert before the period "or to apply to or to regulate treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denomination"

In line 1 of the title after "to" strike "businesses and occupations" and insert "the practice of podiatry" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Substitute House Bill No. 174.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 174 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 174 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 13; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Granlund, Grimm, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Dickie, Eng, Greengo, Hastings, Houchen, James, Lundquist, Owen, Padden, Schmidt, Williams.

Not voting: Representatives Chandler, Garrett, Garson, Maxie, Teutsch, Winsley.

Substitute House Bill No. 174 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 183 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. November 11, 1989, will mark the centennial of Washington's admission to the Union. It is fitting that an event of this magnitude should be commemorated by the state of Washington. Such an event symbolizes achievement and growth and should remind the people of

Washington that the past shapes our present and gives hope for a productive future. Therefore, every community of the state is encouraged to commemorate this historic event.

NEW SECTION. Sec. 2. (1) There is established the 1989 Washington centennial commission composed of thirteen members selected as follows:

(a) Two members of the house of representatives appointed by the speaker of the house, one from each political party;

(b) Two members of the senate appointed by the president of the senate, one from each political party;

(c) Nine citizens of the state, appointed by the governor, including a person from a minority culture to represent the state's minority communities, at least one person to represent small towns and rural areas, at least one person representing a state-wide historic preservation organization, and at least one person representing a state historical society.

(2) The chairperson of the commission shall be appointed by the governor from among the citizen members.

(3) The commission shall meet at such times as it is called by the governor or by the chairperson of the commission.

NEW SECTION. Sec. 3. Subject to legislative appropriation or grant, nonlegislative members of the commission shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended. Legislative members shall be reimbursed as provided in RCW 44.04.120 as now or hereafter amended.

NEW SECTION. Sec. 4. The 1989 Washington centennial commission shall develop a comprehensive program for celebrating the centennial of Washington's admission to the union in 1889. The program shall be developed to represent the contributions of all peoples and cultures to Washington state history and to the maximum feasible extent shall be designed to encourage and support participation in the centennial by all interested communities in the state. Program elements shall include:

(1) An annual report to the governor and the legislature incorporating the commission's specific recommendations for the centennial celebration. The report shall recommend projects and activities including, but not limited to:

(a) Restoration of historic properties, with emphasis on those properties appropriate for use in the observance of the centennial;

(b) State and local historic preservation programs and activities;

(c) Publications, films, and other educational materials;

(d) Bibliographical and documentary projects;

(e) Conferences, lectures, seminars, and other programs;

(f) Museum, library, cultural center, and park services and exhibits, including mobile exhibits; and

(g) Ceremonies and celebrations.

(2) A funding proposal to the 1983 legislature which shall include, but not be limited to, a proposal for the issuance of general obligation bonds of the state of Washington.

NEW SECTION. Sec. 5. The commission may employ a staff to implement this chapter, subject to legislative appropriation or grant. The governor may designate an agency of state government for additional staff support.

NEW SECTION. Sec. 6. The 1989 Washington centennial commission as established by this chapter shall cease to exist on December 31, 1990.

NEW SECTION. Sec. 7. There is hereby appropriated from the general fund to the commission for the period ending June 30, 1983, twenty-five thousand dollars, or so much as may be necessary, to carry out this act.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 27 RCW.*

On page 1, beginning on line 1, strike all of the title and insert "AN ACT Relating to the 1989 Washington centennial commission; adding a new chapter to Title 27 RCW; making an appropriation; and providing an expiration date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House refused to concur in the Senate amendments to Engrossed House Bill No. 183, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

February 24, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 289 with the following amendments:

On page 1, line 15 after "police dog" insert "in the line of duty"

On page 1, line 22 after "wilfully" strike "or maliciously"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to Engrossed House Bill No. 289.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 289 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 289 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Dawson, Eng, Garrett, Lux, Winsley.

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

STATEMENT FOR THE JOURNAL

Please record us as voting "Yes" on Engrossed House Bill No. 289 as amended by the Senate.

JOHN S. ENG, 37th District.
EUGENE LUX, 35th District.

SENATE AMENDMENT TO HOUSE BILL

February 24, 1982

Mr. Speaker:

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

On page 1, line 20 after "transportation" insert "In the case of notification to the secretary of transportation, the secretary shall respond to the notifying authority within fifteen days of such notice as to the effect that the proposed subdivision will have on the state highway or the state or municipal airport" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

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

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 330 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Erak, Garrett, Scott, Winsley.

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

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 1, 1982

HOUSE CONCURRENT RESOLUTION NO. 42, Prime Sponsor: Representative Rosbach, requesting modification of state timber sales procedures. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Barr, Brekke, Erak, Garson, Martinis, McDonald, Mitchell, Nickell, Williams, Wilson.

Voting nay: Representatives Barr, Rinehart, Valle.

Changing vote from nay to aye: Representative Barr.

Not signing report: Representative Lundquist.

Not attending: Representatives North, Ranking Minority Member; Addison, Dawson, Owen, Stratton, Thompson.

Referred to Committee on Ways and Means.

March 1, 1982

ENGROSSED SENATE BILL NO. 3112, Prime sponsor: Senator Talmadge, providing for the award of expenses to prevailing parties in civil actions. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 1, chapter 158, Laws of 1977 ex. sess. and RCW 4.24.350 are each amended to read as follows:

In any action for damages, whether based on tort or contract or otherwise, a claim or counterclaim for damages may be litigated in the principal action for malicious prosecution on the ground that the action was instituted with knowledge that the same was false, and unfounded, malicious and without probable cause in the filing of such action, or that the same was filed as a part of a conspiracy to misuse judicial process by filing an action known to be false and unfounded. In any action for malicious prosecution, whether brought by an independent lawsuit or brought in the principal action by claim or counterclaim, the injured party may recover actual damages or liquidated damages of five hundred dollars, a reasonable attorney's fee, and other costs of litigation. In an action for malicious prosecution, an arrest or seizure of property need not be an element of the claim nor do special damages need to be proved. The elimination of these requirements and permitting the recovery of actual damages or liquidated damages, a reasonable attorney's fee, and other costs of litigation is intended to be in derogation of the common law.

Sec. 2. Section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010 are each amended to read as follows:

The measure and mode of compensation of attorneys and counselors, shall be left to the agreement, expressed or implied, of the parties, but there shall be allowed to the prevailing party upon the judgment certain sums by way of indemnity for his expenses in the action, which allowances are termed costs, including, but not limited to, the following expenses:

- (1) Filing fees;
- (2) Fees for the service of process;
- (3) Fees for service by publication;
- (4) Notary fees;

(5) Reasonable expenses, exclusive of attorneys' fees, incurred in obtaining reports and records, including but not limited to medical records, tax records, personnel records, insurance reports, employment and wage records, police reports, school records, bank records, and legal files;

- (6) Witness fees and expenses; and

(7) The reasonable expense of the transcription of depositions used at trial: PROVIDED, That the expenses of depositions shall be allowed on a pro rata basis for those portions of the depositions introduced into evidence or used for purposes of impeachment.

Sec. 3. Section 6, chapter 60, Laws of 1929 and RCW 4.56.100 are each amended to read as follows:

When any judgment for the payment of money only shall have been paid or satisfied, the clerk of the court in which such judgment was rendered shall note upon the record in the execution docket satisfaction thereof giving the date of such satisfaction upon either the payment to such clerk of the amount of such

judgment, costs and interest and any accrued costs by reason of the issuance of any execution, or the filing with such clerk of a satisfaction entitled in such action and identifying the same executed by the judgment creditor or his attorney of record in such action or his assignee acknowledged as deeds are acknowledged. Every satisfaction of judgment and every partial satisfaction of judgment, prior to its filing with the clerk, shall clearly designate the judgment creditor, his or her attorney, if any, the judgment debtor, the amount or type of satisfaction, whether the satisfaction was in full or partial, the cause number, the judgment number, if any, and the date of entry of the judgment and shall contain a signed, notarized, and dated authorization to the clerk to enter the satisfaction or partial satisfaction of judgment. A certificate by such clerk of the entry of such satisfaction by him may be filed in the office of the clerk of any county in which an abstract of such judgment has been filed. When so satisfied by the clerk or the filing of such certificate the lien of such judgment shall be discharged."

On page 1, line 1 of the title, after "procedure;" strike the remainder of the title and insert "amending section 1, chapter 158, Laws of 1977 ex. sess. and RCW 4.24.350; amending section 367, page 201, Laws of 1854 as last amended by section 505, Code of 1881 and RCW 4.84.010; and amending section 6, chapter 60, Laws of 1929 and RCW 4.56.100."

Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 3249, Prime Sponsor: Committee on Constitutions and Elections, revising the Public Disclosure Law. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 3328, Prime Sponsor: Committee on State Government, creating the legislative facilities committee to provide legislative control over legislative buildings. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, McGinnis, Nelson (D), O'Brien, Sprague.

Voting nay: Representatives Garson, Vice Chairman; Kaiser, Lewis, Nickell, Rinehart, Rust.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

March 1, 1982

SECOND SUBSTITUTE SENATE BILL NO. 3775, Prime Sponsor: Committee on Judiciary, regulating real estate time-sharing. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Padden, Vice Chairman; Becker, Tupper, Winsley.

Rereferred to Committee on Appropriations - General Government.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 3913, Prime Sponsor: Committee on Judiciary, authorizing presuit depositions and interrogatories in the investigation of unfair business practices. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Padden, Vice Chairman; Becker, Salatino, Wang, Winsley.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 4163, Prime Sponsor: Committee on Natural Resources, revising limitations on lease of state lands for agricultural purposes. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Barr, Brekke, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Rinehart, Valle, Williams, Wilson.

Not attending: Representatives North, Ranking Minority Member; Addison, Dawson, Owen, Stratton, Thompson.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4366, Prime Sponsor: Senator Rasmussen, modifying penalties for unlawful issuance of checks or drafts. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4474, Prime Sponsor: Senator Vogndil, modifying provisions relating to witnesses in criminal proceedings. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4483, Prime Sponsor: Senator Hemstad, prescribing penalties for assaults on transit drivers. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Voting nay: Representative Padden, Vice Chairman.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4492, Prime Sponsor: Senator Clarke, excluding all parking offenses from additional penalty assessments. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Padden, Vice Chairman; Becker, Winsley.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4493, Prime Sponsor: Senator Clarke, permitting justice courts to impose fines up to \$1,000. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11 strike "six months" and insert "~~(six months)~~ one year"

Signed by Representatives Ellis, Chairman Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Padden, Vice Chairman; Becker, Winsley.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 4494, Prime Sponsor: Committee on Judiciary, establishing a uniform procedure for issuing and executing warrants for administrative inspections. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 21 after "through" strike "the use of force" and insert "a forcible entry"

On page 3, line 6 after "authorize" strike "the use of force" and insert "a forcible entry"

On page 3, line 9 after "is" strike "the use of force" and insert "a forcible entry"

On page 3, line 9 after "Where" strike "the use of force" and insert "a forcible entry"

Signed by Representatives Ellis, Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representatives Padden, Vice Chairman; Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4517, Prime Sponsor: Senator Talmadge, modifying provisions relating to the satisfaction of mortgages. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4557, Prime Sponsor: Senator Deccio, modifying the landlords' rights and responsibilities when a tenancy is abandoned. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. SHORT TITLE. Sections 1 through 14 of this act shall be known as the 'self-service storage facility landlord-tenant act'.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Self-service storage facility' means any real property designed and used for the purpose of renting or leasing individual storage space to tenants who are to have access to such for the purpose of storing and removing personal property, or any use permitted by the rental agreement. No tenant shall use a self-service storage facility for residential purposes. If a landlord issues a warehouse receipt, bill of lading, or other document of title for the personal property stored, the provisions of this chapter do not apply. Nothing in this subsection shall be construed to imply that prior to the effective date of this act, the definition of self-service storage facilities differed from the definition given in this subsection.

(2) 'Landlord' means the landlord, operator, lessor, or sublessor of a self-service storage facility, his agent, or any other person authorized by him to manage the facility, or to receive rent from a tenant under a rental agreement.

(3) 'Tenant' means a person, his sublessee, successor, or assign, entitled to the use of the storage space at a self-service storage facility under a rental agreement, to the exclusion of others.

(4) 'Rental agreement' means any agreement or lease, written or oral, that establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of real property in a self-service storage facility.

(5) 'Personal property' means movable property not affixed to land, and includes, but is not limited to, goods, merchandise, and household items.

(6) 'Last known address' means that address provided by the tenant in the latest rental agreement, or the address provided by the tenant in a subsequent written notice of a change of address.

(7) 'Abandoned' as it relates to personal property of a tenant in a self-service storage facility means the tenant has defaulted in rent and by words or actions reasonably indicates the intention not to continue tenancy.

NEW SECTION. Sec. 3. NOTICE OF APPARENT ABANDONMENT. (1) If the tenant defaults in rent and the landlord in good faith believes that the tenant has abandoned the tenancy and the personal property stored within the self-service storage facility, but does not know so for certain, the landlord may terminate the tenancy and declare the tenant's personal property abandoned if the following occurs subsequent to default:

(a) The landlord sends by first class and certified mail, return receipt requested, a notice of intent to declare the abandonment of the tenancy and the personal property to the last known address of the tenant. The landlord shall also send notice to any other addresses known to the landlord where the tenant might reasonably be expected to receive the notice; and

(b) No reply is received within thirty days of the mailing of the notice. This notice shall state that if no reply is received within thirty days that the landlord shall determine the tenancy and the personal property abandoned and subject to sale.

(2) This section is intended to provide landlords with assurance that a determination of abandonment is proper in the circumstances, and is not intended to be exclusive.

NEW SECTION. Sec. 4. TAKING POSSESSION. Upon abandonment, the landlord may immediately enter and take possession of any property of the tenant found on the premises and may remove the same to and store the same in a reasonably secure place.

NEW SECTION. Sec. 5. DISCOVERY OF SECURED CREDITORS. Upon taking possession, the landlord shall submit an information request under RCW 62A.9-407 to the department of licensing. Any secured creditors of the tenant discovered as a result of this information request shall receive notice as provided in section 7(1)(d) of this act.

NEW SECTION. Sec. 6. NOTICE TO TENANT. (1) A notice must be mailed by the landlord by first class and certified mail, return receipt requested, within three days after taking possession of the tenant's property to the last known address of the tenant.

(2) The notice shall state:

(a) The tenant's name;

(b) That the landlord is holding in safe storage property of the tenant;

(c) A description of the property;

(d) The location of the property;

(e) The name and address of the landlord;

(f) That if the tenant does not reclaim the tenant's property within sixty days after the specified date of default in rent, or thirty days after the date the notice required in subsection (1) of this section is sent, whichever is later, the landlord intends to sell the personal property stored and apply the proceeds as specified in section 10 of this act; and

(g) The conditions on which any person could reclaim the property, as specified in section 8 of this act, with the amounts set out where applicable as much as is reasonably practical.

NEW SECTION. Sec. 7. SALE OF TENANT'S PROPERTY. (1) The landlord may sell or otherwise dispose of any or all of the property taken possession of and stored by the tenant after the latest of the following:

(a) Sixty days after mailing of the notice under section 3 of this act;

(b) Thirty days after mailing of the notice prescribed in section 6 of this act;

(c) After reasonable efforts to locate the absent tenants;

(d) Ten days' notice to secured creditors of the tenant discovered through the information request submitted under section 5 of this act. This notice shall contain the same information as the notice to the tenant set forth in section 6(2) of this act.

(2) The property may be sold in its condition 'as is' or following any commercially reasonable preparation for sale. Disposition of the property may be by public or private proceedings and may be as a unit or in parcels and at any time and place and on any terms, but every aspect of the disposition including the method, manner, time, place, and terms must be commercially reasonable. Reasonable notification of the time and place of any public sale or of the time of which any private sale or other intended disposition is to be made shall be sent by the landlord to the tenant and secured creditors identified in (1)(d) of this section. The landlord may buy at any public sale. If the property is of a type customarily sold on a recognized market, no notice of time and place of sale is required and the landlord may buy such property, as well as any other property which is of a type which is the subject of widely distributed standard price quotations.

(3) The fact that a better price could have been obtained by a sale at a different time or in a different method, or in a different place, from that selected by the landlord is not of itself sufficient to establish that the sale was not made in a commercially reasonable manner. If the landlord sells the property in conformity with reasonable commercial practices among dealers in the type of property sold, he has sold in a commercially reasonable manner. The principles stated in the two preceding sentences with respect to sales also apply as may be appropriate to other types of disposition.

NEW SECTION. Sec. 8. REDEMPTION. (1) At any time before the landlord has disposed of property or entered into contract for its disposition under this chapter, the tenant, unless otherwise agreed in writing, may redeem the property by tendering to the landlord fulfillment of all obligations owed by the tenant to the landlord as set out in section 12 of this act which have accrued up to the date of redemption.

(2) At any time before the landlord has disposed of property or entered into a contract for disposition under this chapter, any person who has a security interest in the property may, unless otherwise agreed in writing, redeem the property by tendering to the landlord:

(a) Any unpaid rent or charges specified in the rental agreement accrued up to the date of redemption: **PROVIDED**, That the amount of rent required to be tendered by the secured creditor shall not exceed two months' rent due; and

(b) The reasonable costs of taking possession, moving, storing, safeguarding, preparing the property for sale, the costs of arranging the sale, and selling the tenant's property plus reasonable attorney's fees and legal expenses incurred taking such actions.

NEW SECTION. Sec. 9. EFFECT OF SALE. (1) When property is disposed of by a landlord under this chapter, the disposition transfers to a purchaser for value all of the tenant's rights therein and discharges any security interest in or lien upon the property. The purchaser takes free of any such rights and interests even if the landlord fails to comply with the requirements of this chapter or of any judicial proceedings (a) in the case of a public sale, if the purchaser has no knowledge of any defects in the sale and if he does not buy in collusion with the landlord, other bidders, or the person conducting the sale; or (b) in any other case, if the purchaser acts in good faith as defined in RCW 62A.1-201(19).

(2) The director of licensing shall promulgate rules under chapter 34.04 RCW for the application for and the reissuance of the certificate of title showing ownership of any property sold or otherwise disposed of under the provisions of this chapter which property is required by Title 46 RCW to have a certificate of title.

NEW SECTION. Sec. 10. APPLICATION OF PROCEEDS FROM SALE. (1) Any proceeds from the sale may be applied in the following order:

- (a) To any reasonable costs of storing, moving, safeguarding, and selling the property;
- (b) To any secured creditors of the tenant discoverable by an information request under RCW 62A.9-407 sent to the department of licensing;
- (c) To any other moneys due the landlord as specified in section 11 of this act.

(2) Any excess proceeds from the sale of the property shall be paid to the state treasurer subject to a claim by the tenant within one year of sale.

NEW SECTION. Sec. 11. REMEDIES FOR NONCOMPLIANCE. If it is established that the landlord is not proceeding in accordance with the provisions of sections 3 through 10 of this act, disposition may be ordered or restrained on appropriate terms and conditions. If the disposition has occurred in violation of this chapter, the tenant or any person entitled to notice has a right to recover from the landlord any loss caused by a failure to comply with the provisions of this chapter, including but not limited to legal costs and reasonable attorney's fees.

NEW SECTION. Sec. 12. TENANT'S LIABILITY TO LANDLORD UPON ABANDONMENT. If a tenant abandons a tenancy the landlord shall make reasonable efforts to mitigate the damages resulting from the abandonment, and after such reasonable efforts are made, is entitled to the following from the tenant:

- (1) The reasonable costs of taking possession of, moving, storing, safeguarding, preparing the property for sale, and the costs of arranging the sale, plus reasonable attorney's fees and legal expenses incurred in taking such actions if not otherwise reimbursed by the provisions of section 10 of this act;
- (2) Any unpaid rent or charges specified in the rental agreement; and
- (3) Any damages to the landlord's property caused by the tenant.

NEW SECTION. Sec. 13. LIEN GRANTED. The landlord has a lien upon all personal property located at a self-service storage facility for unpaid rent or charges specified in the rental agreement, and for expenses reasonably incurred in its sale or other disposition under this chapter: **PROVIDED**, That the landlord's lien for rent shall not exceed two months' rent due. The lien provided for in this section is superior to any other lien or security interest. Foreclosure shall be by the sale provisions of sections 3 through 10 of this act.

NEW SECTION. Sec. 14. REMEDIES NOT EXCLUSIVE. The remedies specified in sections 3 through 12 of this act are not exclusive and the parties retain the rights to all other actions or remedies. If a landlord sells a tenant's personal property as permitted by this chapter and the proceeds from the sale of those goods are insufficient to pay the landlord all that the tenant owes to the landlord, the tenant shall remain liable for the remainder.

NEW SECTION. Sec. 15. DECLARATION OF PURPOSE. The purpose of sections 1 through 14 of this act is to clarify the manner and circumstances in which self-service storage facility landlords may take possession of and sell the personal property of persons renting space at such facilities.

NEW SECTION. Sec. 16. Nothing in sections 1 through 14 of this act shall be construed to imply that self-service storage facilities subject to the operation of sections 1 through 14 of this act are or are not engaged in the business of warehousing or that the rental of storage space as defined herein does or does not constitute the rental of real property, or that the rent from which, as defined herein, does or does not constitute income from the rental of real property.

NEW SECTION. Sec. 17. Sections 1 through 14 and 18 of this act constitute a new chapter to be added to Title 59 RCW.

NEW SECTION. Sec. 18. Section captions as used in this act do not constitute any part of the law.

Sec. 19. Section 31, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.310 are each amended to read as follows:

If the tenant defaults in the payment of rent and reasonably indicates by words or actions his intention not to resume tenancy, he shall be liable for the following for such abandonment: PROVIDED, That upon learning of such abandonment of the premises the landlord shall make a reasonable effort to mitigate the damages resulting from such abandonment:

(1) When the tenancy is month-to-month, the tenant shall be liable for the rent for the thirty days following either the date the landlord learns of the abandonment, or the date the next regular rental payment would have become due, whichever first occurs.

(2) When the tenancy is for a term greater than month-to-month, the tenant shall be liable for the lesser of the following:

(a) The entire rent due for the remainder of the term; or

(b) All rent accrued during the period reasonably necessary to rerent the premises at a fair rental, plus the difference between such fair rental and the rent agreed to in the prior agreement, plus actual costs incurred by the landlord in rerenting the premises together with statutory court costs and reasonable attorney's fees.

In the event of such abandonment of tenancy and an accompanying default in the payment of rent by the tenant, the landlord may immediately enter and take possession of any property of the tenant found on the premises and may store the same in ((a)) any reasonably secure place. A notice containing the name and address of landlord and the place where the property is stored must be mailed promptly by the landlord to the last known address of the tenant. After sixty days from the date of default in rent, and after prior notice of such sale is mailed to the last known address of the tenant, the landlord may sell such property and may apply any income derived therefrom against moneys due the landlord, including drayage and storage. After deducting the actual costs of transfer, storage, and sale of such property, any excess income derived from the sale of such property shall be held by the landlord for the benefit of the tenant for a period of one year from the date of sale, and if no claim is made or action commenced by the tenant for the recovery thereof prior to the expiration of that period of time, the balance shall be the property of the landlord. If the landlord reasonably determines that any of the property, other than memorabilia, official papers, documents, correspondence, or photographs, is of such little value that the cost of storage and sale probably exceeds the amount realizable from sale, the landlord may list such property on a notice to be mailed to the tenant's last known address indicating that such property may be destroyed or otherwise disposed of not less than fifteen days after the mailing.

On page 1, line 1 of the title after "tenants;" strike the remainder of the title and insert "amending section 31, chapter 207, Laws of 1973 1st ex. sess. and RCW 59.18.310; adding a new chapter to Title 59 RCW; and creating new sections."

Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4559, Prime Sponsor: Senator Lee, modifying the state forms management program. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. This act may be known and cited as the forms reduction act of 1982.

NEW SECTION. Sec. 2. The legislature finds that the functioning of state government, business, and individual activities is becoming increasingly more cumbersome as the number, length, and complexity of forms increase and that the forms burden imposed by the state can be a hindrance to the citizens of the state and can add to the costs of products and services. Eliminating unnecessary forms will simplify paperwork, increase efficiency, effect productivity improvements, and reduce costs related to the amount of time individuals and businesses are required to take to complete various forms and to the procurement, printing, storage, use, and distribution of forms.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 7 of this act.

(1) 'State agency' means any executive branch office, department, board, commission, or other separate unit or division, however designated. The term includes any unit of state government established by law of which the executive officer or each member is either elected or appointed, and upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature. It also includes every state-supported institution of higher education.

(2) 'Form' means a printed document providing entry space for variable information.

NEW SECTION. Sec. 4. (1) By July 30, 1983, and by July 30 of each even-numbered year thereafter, each state agency shall report the following information to the office of financial management for the previous fiscal year ending on June 30:

(a) The estimated total number of hours required to fill out each form; and

(b) The estimated number of people filling out each form.

(2) The product of the numbers provided under (a) of subsection (1) of this section multiplied by the numbers provided under (b) of subsection (1) of this section constitutes the form burden for each form.

(3) The sum of all the products in subsection (2) of this section for each agency constitutes the agency's form burden for that fiscal year.

NEW SECTION. Sec. 5. (1) For the fiscal year ending on June 30, 1984, each agency shall satisfy the director that it has reduced by fifteen percent its form burden that it had for the fiscal year ending on June 30, 1983. The director of financial management may specifically waive this requirement for an agency if necessary for the efficient and effective administration of the agency and the carrying out of its duties.

(2) An agency's form burden established under subsection (1) of this section for the fiscal year ending on June 30, 1984, shall not be increased except with the specific authorization of the director after a finding by the director that the increase is necessary for the efficient and effective administration of the agency and the carrying out of its duties.

NEW SECTION. Sec. 6. The director shall adopt rules governing the reports required under section 4 of this act. The director shall review each report to determine whether it is an accurate estimate of the agency's form burden. By November 1, 1983, and by November 1 of each even-numbered year thereafter, the director shall provide a report to the speaker of the house of representatives and the president of the senate showing the agencies, if any, which have not complied with sections 2 through 5 of this act and shall report each agency's form burden and the total state-wide form burden.

NEW SECTION. Sec. 7. The director of financial management shall place one-half of one percent of all funds appropriated to an agency in reserve if the agency does not comply with section 5(1) of this act. The director shall hold such funds in reserve until the agency complies or the appropriation expires.

NEW SECTION. Sec. 8. Sections 2 through 8 of this act shall expire on June 30, 1985, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 9. Sections 2 through 8 of this act are each added to chapter 43.41 RCW."

On page 1, line 1 of the title, after "management;" strike the remainder of the title and insert "adding new sections to chapter 43.41 RCW; creating a new section; and providing an expiration date."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Voting nay: Representatives Kaiser, McGinnis.

Changing vote from nay to aye: Representative McGinnis.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4660, Prime Sponsor: Senator Lee, revising procedures for administrative rule-making notices and statements of purpose. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 12 strike all of section 2, and insert the following:

"Sec. 2. Section 1, chapter 84, Laws of 1977 ex. sess. as last amended by section 7, chapter ... (HB 385), Laws of 1982 and RCW 34.04.045 are each amended to read as follows:

(1) For the purpose of legislative review of agency rules filed pursuant to this chapter, any proposed new or amendatory rule shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose (~~(- the statutory authority for the rule,)~~) and any other information which may be of assistance in identifying the rule or its purpose;

(b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;

(c) A summary of the rule and a statement of the reasons supporting the proposed action;

~~((f))~~ (d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

~~((d))~~ (e) The name of the person or organization, whether private, public, or governmental, proposing the rule;

~~((e))~~ (f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

~~((f))~~ (g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement;

~~((g))~~ (h) A copy of the small business economic impact statement, where applicable.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies (~~(each)~~) of the

notice and the statement to the ((secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees)) rules review committee."

On page 4 after line 16, insert the following:

"NEW SECTION. Sec. 3. There is added to chapter 34.04 RCW a new section to read as follows:

Each agency head shall be responsible for conducting a review of the agency's rules contained in the Washington Administrative Code in order to identify each rule which the agency head believes was designed, in whole or in part, to conform to a federal law which, on or after January 1, 1981, has been eliminated or changed in a manner which reduces or deletes the requirements or standards with which the rule was designed to conform. For purposes of this section, "federal law" includes federal statutes and federal rules and regulations.

NEW SECTION. Sec. 4. There is added to chapter 34.04 RCW a new section to read as follows:

(1) By November 1, 1982, and each year thereafter, each agency shall provide the office of financial management with a document containing: (a) A list citing the rules identified pursuant to section 3 of this act and the actions, if any, taken by the agency head to change or eliminate the rules; and (b) a list of those rules which cannot be changed or eliminated without conflicting with the statutes authorizing, or dealing with, the rules and a list of such statutes.

(2) The office of financial management shall compile the documents submitted under subsection (1) of this section and by January 1, 1983, and each year thereafter, shall provide the compilation to the speaker of the house of representatives and the president of the senate.

NEW SECTION. Sec. 5. There is added to chapter 34.04 RCW a new section to read as follows:

Sections 3 and 4 of this act apply to each "agency" as defined in RCW 34.04.010. It also applies to each agency exempted, in whole or in part, under RCW 34.04.150.

Sec. 6. Section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150 are each amended to read as follows:

Except as provided under section 5 of this 1982 act, this chapter shall not apply to the state militia, or the board of prison terms and paroles, or any institution of higher education as defined in RCW 28B.19.020. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply to the denial, suspension, or revocation of a driver's license by the department of licensing. To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act."

In line 4 of the title, after "as" strike everything through and including "1980" on line 5, and insert "last amended by section 7, chapter ... (HB 385), Laws of 1982"

In line 6 of the title, after "34.04.045;" insert "amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150;"

In line 8 of the title, after "28B.19.030;" strike "and"

In line 9 of the title, after "28B.19.033" and before the period, insert "; and adding new sections to chapter 34.04 RCW"

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not signing report: Representative Kaiser.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4691, Prime Sponsor: Senator Talmadge, making technical corrections in the law of comparative fault and contribution among tortfeasors. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4749, Prime Sponsor: Senator Haley, repealing voter qualifications previously found unconstitutional. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass. Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Armstrong, Bickham, Granlund, Patrick, Pruitt, Schmidt, Tilly, Tupper, Wang, Winsley.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4775, Prime Sponsor: Committee on State Government, expanding the duties of the state patrol section in identification. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, after line 3 add the following:

"(8) Nothing in this section shall authorize an employer to make an inquiry not otherwise authorized by law, or be construed to affect the policy of the state declared in RCW 9.96A.010, encouraging the employment of ex-offenders."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Greengo, Hankins, Johnson, Kaiser, Lewis, McGinnis, Nelson (D), Nickell, O'Brien, Rust, Sprague.

Not signing report: Representative Rinehart.

Not attending: Representative Erak.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4831, Prime Sponsor: Senator Jones, designating shorelines of state-wide economic significance. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 32 after "a line" strike "two thousand" and insert "seven hundred fifty"

On page 8, line 33 after "tide" insert ": PROVIDED, That the appropriate local government may authorize an extension to the two thousand foot seaward mark to accomplish required mitigation measures"

On page 18, line 29 after "board" insert ": PROVIDED, That only amendments or adjustments and or segments adopted by a local government after the effective date of this act shall become effective pursuant to this 1982 amendatory act"

On page 31, after line 34 add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW a new section to read as follows: No permit issued pursuant to chapter ___ (ESB 4831), Laws of 1982, shall be sold, conveyed, leased, donated or transferred to any person or entity by the person or entity to which the permit was originally issued without concurrence of the local government."

Renumber the remaining sections consecutively.

On page 38 after line 27 insert:

"For any project undertaken pursuant to a permit issued on a shoreline of state-wide economic significance which is abandoned prior to completion for the uses permitted, the attorney general or prosecuting attorney of the county in which the abandonment takes place may bring a civil action to restore any shoreline which has been altered or damaged to its original use."

Signed by Representatives Sanders, Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brown, Eberle, Flanagan, Hankins, Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Patrick, Vice Chairman; Brekke.

Voting nay: Representatives Patrick, Vice Chairman; Brekke, Cole, Monohon.

Not attending: Representatives Clayton, Garrett, Lux.

Passed to Committee on Rules for second reading.

March 1, 1982

SENATE BILL NO. 4909, Prime Sponsor: Senator Fuller, modifying provisions relating to the solid waste advisory committee. Reported by Committee on Local Government.

MAJORITY recommendation: do pass with the following amendment:

On page 1, beginning on line 22 strike "(and)", resource recovery and dangerous waste industries." and insert "and resource recovery industries. The director shall include among his ten appointees representatives of activities from which dangerous wastes arise and the Washington State Patrol's hazardous materials technical advisory committee."

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hinc, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, James, Kreidler, Leonard, North, Stratton.

Not attending: Representatives Brown, Garrett, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 4947, Prime Sponsor: Senator Newhouse, revising procedures for appeals regarding industrial insurance. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Hankins, Lux, Monohon, Smith.

Not attending: Representative Garrett.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 458, by Representatives Monohon, King (R), Erak and Rosbach:

Establishing commercial salmon net fishing areas.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Monohon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 458, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Cole, Eng, Lux, Martinis, Nelson D.

Not voting: Representatives Chandler, Garrett, King R., Winsley.

House Bill No. 458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

HOUSE BILL NO. 912, by Representative Barnes (by Governor Spellman request):

Modifying provisions relating to the energy facility site evaluation council.

The bill was read the second time. On motion of Mr. Barnes, Substitute House Bill No. 912 was substituted for House Bill No. 912, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 912 was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 22, 1982.)

Mr. Barnes moved adoption of the committee amendment to page 20, line 19, adding a new section.

POINT OF ORDER

Mr. Nelson (D): "Mr. Speaker, it's my understanding that a substitute bill cannot carry a committee amendment to the floor. Will you please rule on that?"

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Nelson, your point is well taken, and the amendment will probably be offered as a floor amendment."

Mr. Wang moved adoption of the following amendment by Representatives Wang, Nisbet, Owen, Houchen and Nelson (D):

On page 1, after line 25 insert the following:

"Section 1. Section 1, chapter 45, Laws of 1970 ex. sess. as amended by section 29, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.010 are each amended to read as follows:

The legislature finds that the present and predicted growth in energy demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington to recognize the ((pressing)) need for ((increased)) adequate energy facilities, and to ensure through available and reasonable methods, that the location and operation of such facilities will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance ((the increasing demands for)) energy facility location and operation ((in conjunction)) with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) To provide ((abundant)) adequate energy at reasonable cost."

Renumber the sections consecutively.

Representatives Wang, Nelson (D) and Houchen spoke in favor of the amendment, and Representatives Isaacson, Barnes and Bond spoke against it.

Representatives Isaacson and Barnes spoke again in opposition to the amendment.

Mr. Nelson (G) demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Wang and others to page 1, line 25 of Substitute House Bill No. 912, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Flanagan, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King R., Kreidler, Lewis, Lux, Maxie, Monohon, Nelson D., Nisbet, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Wilson.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, King J., Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Chandler, Garrett, North, Schmidt, Winsley.

Mr. Wang moved adoption of the following amendments:

On page 5, line 13, after "Constitution" and before the period insert "; and

(17) 'Energy needs study' means an independent evaluation prepared by the council or by an independent consultant, as defined in this section, which analyzes the following:

(a) Whether the facility proposed by the applicant is needed to meet future demand for energy within the state or in the area to be served by the proposed facility; and

(b) Whether there are alternatives to the proposed facility that would produce or conserve an equivalent amount of energy and that would be cost-effective and available in the time needed"

On page 9, line 14, after "chapter" and before the period insert "; and

(15) To prepare an energy needs study, as defined in RCW 80.50.020, specific to each application"

Mr. Wang spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Wang, I'm wondering if there has been a fiscal note prepared on this amendment?"

Mr. Wang: "Not that I am aware of."

Mr. Vander Stoep: "It's been established that the EFSEC currently does not now and never has been involved in determining need. I'm wondering what kind of additional staff would be required to do the adequate job that you would want?"

Mr. Wang: "I believe EFSEC could do the job of considering need. They consider all kinds of factors as it is, and I think need is an appropriate one for them to be considering. I can't provide you with specific details of the fiscal impact, but clearly it would depend on the type of project and a number of other variables. EFSEC obviously is going to have to up their staffing, and so forth, depending on the particular situation."

Representatives Vander Stoep and Barnes spoke against the amendments, and Mr. Nelson (D) spoke in favor of them.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Wang to pages 5 and 9 of Substitute House Bill No. 912, and the amendments were not adopted by the following vote: Yeas, 40; nays, 54; not voting, 4.

Voting yea: Representatives Armstrong, Becker, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King R., Kreidler, Lux, Maxie, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Garrett, Teutsch, Winsley.

Mr. Isaacson moved adoption of the following amendment by Representatives Isaacson, Barnes, Stratton and McCormick:

On page 6, line 23 after "~~((tm))~~" strike "~~Department of agriculture~~" and insert "(k) Department of agriculture (("

Representatives Isaacson, Barnes and Nelson (D) spoke in favor of the amendment, and it was adopted.

Mr. Nisbet moved adoption of the following amendments by Representatives Nisbet and Hine:

On page 6, line 27 after "site(;;)" insert "PROVIDED, That the member or designee may vote on any matter before the council that affects the application as a whole"

On page 6, line 35 after "site" insert "PROVIDED, That the member or designee may vote on any matter before the council that affects the application as a whole"

Representatives Nisbet and Barnes spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Nisbet and Hine to page 6 of Substitute House Bill No. 912, and the amendments were adopted by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson.

Voting nay: Representatives Amen, Barr, Bond, Fancher, Flanagan, Hankins, Hastings, Isaacson, Leonard, Lundquist, Padden, Rosbach, Schmidt, Smith, Struthers, Vander Stoep.

Not voting: Representatives Chandler, Garrett, Winsley, and Mr. Speaker.

Ms. Hine moved adoption of the following amendments by Representatives Hine and Nisbet:

On page 7, line 11 after "agencies" strike "cities, counties, and port districts"

On page 7, line 17 after "agencies" strike "cities, counties, and port districts"

Representatives Hine, Nisbet, Barnes and Armstrong spoke in favor of the amendments, and Representatives Isaacson and Bond spoke against them.

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

Ms. Hine spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Hine and Nisbet to page 7 of Substitute House Bill No. 912, and the amendments were adopted by the following vote: Yeas, 52; nays, 42; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Wilson.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McGinnis, Nelson G. A., Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Tilly, Vander Stoep, Williams, and Mr. Speaker.

Not voting: Representatives Chandler, Garrett, Hastings, Winsley.

The Clerk read the following amendment by Representative Nelson (D):

On page 10, line 24 after "certification," insert "Each application for a thermal power plant with a generating capacity of two hundred fifty thousand kilowatts or more submitted after December 1, 1981, shall include an economic analysis comparing the costs of all feasible alternatives to the plant, including, but not limited to, conservation measures, renewable resources, and the acquisition of any similar thermal power plant on which construction has been deferred or terminated."

(2)

With the consent of the House, Mr. Nelson (D) withdrew the amendment.

Mr. Nelson (D) moved adoption of the following amendment:

On page 10, line 24 after "certification," insert "Each application for a thermal power plant with a generating capacity of two hundred fifty thousand kilowatts or more submitted after December 1, 1981, shall include an economic analysis comparing the cost of the plant to the cost of acquisition of any similar thermal power plant on which construction has been deferred or terminated."

(2)

Mr. Nelson (D) spoke in favor of the amendment.

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

Representatives Isaacson and Barnes spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson (D) to page 10 of Substitute House Bill No. 912, and the amendment was not adopted by the following vote: Yeas, 44; nays, 50; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Chamberlain, Cole, Ehlers, Erak, Gallagher, Galloway, Granlund, Greengo, Grimm, Heck, Hine, Houchen, King J., King R., Kreidler, Maxie, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Tupper, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Flanagan, Garson, Hankins, Hastings, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Nelson G. A., Nickell, Padden, Prince, Pruitt, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Fiske, Garrett, Teutsch, Winsley.

On motion of Mr. Tupper, the following amendments by Representatives Tupper and Hine were adopted:

On page 20, line 7 after "statement" insert "to fulfill the requirements"

On page 20, line 10 after "statement" insert "to fulfill the requirements"

The Speaker resumed the Chair.

Mr. Nelson (D) moved adoption of the following amendment:

On page 19, beginning on line 26 strike all of section 10 and renumber the sections consecutively.

Representatives Nelson (D) and Valle spoke in favor of the amendments, and Representatives Isaacson and Barnes spoke against them.

Mr. Nelson (D) spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Barnes moved adoption of the following amendment:

On page 20, line 11 after "43.21C RCW." insert:

"NEW SECTION. Sec. 11. There is added to chapter 43.21C RCW a new section to read as follows: 'Actions of the energy facility site evaluation council or its successor agency under chapter 80.50 RCW, as now or hereafter amended, shall not be subject to the requirements of RCW 43.21C.030(2)(c), as now or hereafter amended.'

Mr. Barnes spoke in favor of the amendment, and Mr. Nelson (D) spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barnes to page 20 of Substitute House Bill No. 912, and the amendment was adopted by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke, Wilson.

Not voting: Representatives Berleen, Garrett, Winsley.

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

On page 20, after line 19 insert a new section to read as follows:

"NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Mr. Barnes moved adoption of the following amendment:

On page 20, after line 19 insert a new section to read as follows:

"NEW SECTION. Sec. 12. There is added to chapter 80.50 RCW a new section to read as follows: 'This act shall apply prospectively, except that the current requirements of this chapter shall continue to apply for applicants who have made application prior to January 1, 1977, and are making reapplication for the same or similar projects.'

Mr. Nelson (D) moved adoption of the following amendment to the Barnes amendment:

On line 7 of the amendment after "that the" strike "current requirements of this chapter" and insert "requirements in effect prior to this 1982 amendatory act" and on line 10 after "and" strike "are making" and insert "make"

Representatives Nelson (D) and Isaacson spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the Barnes amendment as amended.

Representatives Barnes and Nelson (D) spoke in favor of the amendment as amended.

The amendment was not adopted.

Mr. Nisbet moved adoption of the following amendment by Representatives Nisbet and Hine:

On page 20, line 20 insert:

"NEW SECTION. Sec. 12. This act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in this state, all in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.'

Mr. Nisbet spoke in favor of the amendment, and Mr. Barnes spoke against it.

The amendment was not adopted.

Mr. Owen moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. The standing committees on energy and utilities of the senate and the house of representatives shall jointly study and review chapter 80.50 RCW and shall report its findings and recommendations to the legislature by January 15, 1983."

Mr. Owen spoke in favor of the amendment, and Mr. Barnes spoke against it.

The amendment was not adopted.

On motion of Mr. Barnes the following amendment to the title was adopted:

On page 1, line 24 of the title after "80.50.190" insert "; and adding a new section to chapter 43.21C RCW"

Substitute House Bill No. 912 was ordered engrossed and passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 937 was rereferred from Committee on Financial Institutions and Insurance to Committee on Appropriations - General Government.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Wednesday, March 3, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

FIFTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 3, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Rinehart, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Haarman and Carol Bronsdon. Prayer was offered by The Reverend Stanley Workman, Minister of the Evergreen Christian Reformed Church of Olympia.

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

MESSAGE FROM THE SENATE

March 2, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 554,
HOUSE BILL NO. 1067,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

March 2, 1982

HOUSE BILL NO. 1092, Prime Sponsor: Representative Struthers, modifying the unfair cigarette sales act. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Rinehart, Ranking Minority Member; Bickham, Galloway, Granlund, Hastings, Rust.

Voting nay: Representatives Addison, Bond, Brown, Sanders.

Not attending: Representative Flanagan, Vice Chairman.

Passed to Committee on Rules for second reading.

March 2, 1982

HOUSE BILL NO. 1141, Prime Sponsor: Representative Armstrong, providing for the establishment of export assistance centers. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Eberle, Lux, Monohon.

Voting nay: Representatives Clayton, Flanagan, Hankins, Smith.

Not attending: Representative Garrett.

Passed to Committee on Rules for second reading.

March 1, 1982

HOUSE BILL NO. 1216, Prime Sponsor: Committee on Ways and Means, authorizing institutions of higher education to purchase private sector services. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representative Warnke.

Not attending: Representatives Becker, Thompson.

Passed to Committee on Rules for second reading.

March 2, 1982

HOUSE JOINT MEMORIAL NO. 25, Prime Sponsor: Representative Pruitt, requesting continuation of federal assistance for refugees. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass. Signed by Representatives Nisbet, Chairman; Becker, Ranking Minority Member; Brekke, Houchen, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Not attending: Representatives Berleen, Vice Chairwoman; Dawson, Johnson.

Passed to Committee on Rules for second reading.

March 1, 1982

ENGROSSED SENATE BILL NO. 3301, Prime Sponsor: Senator Wilson, permitting counties to set the rates at which fines of county prisoners are reduced. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

*Section 1. Section 1, chapter 99, Laws of 1937 and RCW 9.92.150 are each amended to read as follows:

The sentencing judge of the superior court and the sentencing justice of peace of the justice court shall have authority and jurisdiction whereby the sentence of a prisoner, sentenced to imprisonment in their respective county jail, may be reduced (~~(five)~~ seven) days for each month of confinement therein, for good behavior.

Sec. 2. Section 147, page 124, Laws of 1854 as last amended by section 4, chapter 200, Laws of 1967 and RCW 10.82.030 are each amended to read as follows:

If any person ordered into custody until the fine and costs adjudged against him be paid shall not, within five days, pay, or cause the payment of the same to be made, the clerk of the court shall issue a warrant to the sheriff commanding him to imprison such defendant in the county jail until the amount of such fine and costs owing are paid. Execution may at any time issue against the property of the defendant for that portion of such fine and costs not reduced by the application of this section. The amount of such fine and costs owing shall be the whole of such fine and costs reduced by the amount of any portion thereof paid, and (~~(ten dollars for every day the defendant performs labor as provided in RCW 10.82.040, and eight dollars for every day the defendant does not perform such labor while imprisoned)~~ an amount computed at the daily rates established by the county legislative authority by resolution or ordinance. Daily rates for persons performing labor while incarcerated as provided in RCW 10.82.040 may be higher than daily rates for persons who do not perform labor while incarcerated.)

Sec. 3. Section 151, page 124, Laws of 1854 as last amended by section 5, chapter 200, Laws of 1967 and RCW 10.82.040 are each amended to read as follows:

When a defendant is committed to jail, on failure to pay any fines and costs, he shall, under the supervision of the county sheriff and subject to the terms of any ordinances adopted by the county (~~(commissioners)~~ legislative authority), be permitted to perform labor to reduce the amount owing of the fine and costs."

On page 1, line 1 of the title, strike everything after "procedure;" and insert "amending section 1, chapter 99, Laws of 1937 and RCW 9.92.150; amending section 147, page 124, Laws of 1854 as last amended by section 4, chapter 200, Laws of 1967 and RCW 10.82.030; and amending section 151, page 124, Laws of 1854 as last amended by section 5, chapter 200, Laws of 1967 and RCW 10.82.040."

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, James, Kreidler, Leonard, North, Stratton.

Not attending: Representatives Brown, Garrett, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 3361, Prime Sponsor: Committee on Local Government, increasing the maximum cost of port district small works projects. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

*Section 1. Section 2, chapter 348, Laws of 1955 as amended by section 1, chapter 47, Laws of 1975 1st ex. sess. and RCW 53.08.120 are each amended to read as follows:

All material required by a port district may be procured in the open market or by contract and all work ordered may be done by contract or day labor. All such contracts for work, the estimated cost of which exceeds (~~(thirty)~~ forty) thousand dollars, shall be let at public bidding upon notice published in a newspaper in the district at least ten days before the letting, calling for sealed bids upon the work, plans and specifications for which shall then be on file in the office of the commission for public inspection. The same notice may call for bids on such work or material based upon plans and specifications submitted by the bidder.

Each port district shall maintain a small works roster which shall be comprised of all contractors who have requested to be on the roster and are, where required by law, properly licensed or registered to perform such work in the state of Washington.

Whenever work is done by contract, the estimated cost of which is ((thirty)) forty thousand dollars or less, the managing official of the port district shall invite proposals from all appropriate contractors on the small works roster: PROVIDED, That not less than five separate appropriate contractors shall be invited to submit proposals on any individual contract: PROVIDED FURTHER, That whenever possible, the managing official shall invite at least one proposal from a minority contractor who shall otherwise qualify under this section. Such invitation shall include an estimate of the scope and nature of the work to be performed, and materials and equipment to be furnished.

When awarding such a contract for work, the estimated cost of which is ((thirty)) forty thousand dollars or less, the managing official shall give weight to the contractor submitting the lowest and best proposal, and whenever it would not violate the public interest, such contracts shall be distributed equally among contractors, including minority contractors, on the small works roster.

NEW SECTION. Sec. 2. There is added to chapter 53.08 RCW a new section to read as follows:

Port districts shall determine if any construction project over forty thousand dollars can be accomplished less expensively by contracting out. If contracting out is less expensive, the port district may contract out such project."

In the title, page 1, beginning on line 1, strike all after "districts;" and insert "amending section 2, chapter 348, Laws of 1955 as amended by section 1, chapter 47, Laws of 1975 1st ex. sess. and RCW 53.08.120; and adding a new section to chapter 53.08 RCW."

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Chamberlain, Cole, James, Leonard, Stratton.

Voting nay: Representatives Burns, Kreidler.

Not attending: Representatives Brown, Garrett, North, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

March 2, 1982

ENGROSSED SENATE BILL NO. 3587, Prime Sponsor: Senator Gaspard, implementing law relating to kindergartens. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Bender, Cantu, Dickie, Galloway, Hine, James, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Voting nay: Representatives Cantu, Ellis, James, Vander Stoep.

Not attending: Representatives Armstrong, Eberle, Eng.

Passed to Committee on Rules for second reading.

March 2, 1982

SENATE BILL NO. 4607, Prime Sponsor: Senator Scott, limiting the cogeneration tax credit. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030 are each amended to read as follows:

(1) An application for a certificate shall be filed with the department. The application shall contain the estimated or actual cost, plans, and specifications of the cogeneration facility, including all materials incorporated or to be incorporated therein, and a list describing and showing all expenditures made by the applicant for the purpose of cogeneration, together with the operating procedure for the facility, and if the facility has not been constructed, a time schedule for the acquisition and installation or attachment of the cogeneration facility and the proposed operating procedure for the cogeneration facility.

(2) The department shall provide a copy of the application to the energy office within ten days after receipt thereof. Within sixty days after receipt of the application from the department, the office shall approve the application but only if it first determines that construction of the cogeneration facility began or will begin after September 1, 1979, that the cogeneration facility is designed and is operated or will be operated primarily for cogeneration, and that the cogeneration facility is suitable, reasonably adequate, and meets the intent and purposes of this chapter.

(3) Within ten days after approval of the application, the office shall provide a copy thereof to the department. Within thirty days after receipt thereof the department shall issue the certificate but only if it finds that the cost data in the application is accurate. ~~((If the application contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of~~

the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(4) The department, with the approval of the office, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the office and the department. An applicant shall have the opportunity for a hearing before the office and the department in respect to their respective decisions granting or denying approval or certification.)

This section shall expire on December 31, 1984.

NEW SECTION, Sec. 2. There is added to chapter 82.35 RCW a new section to read as follows:

(1) If an application filed under RCW 82.35.030 contains estimated cost data, the certificate shall be conditioned upon the applicant providing sufficient information for the department to determine the actual cost of the cogeneration facility on the date it becomes operational. Within sixty days after the cogeneration facility is operational the department shall review the certificate. If the actual cost of the cogeneration facility is less than the cost shown in the certificate, the department shall issue a modified certificate or a supplement to the original certificate, showing the actual cost of the cogeneration facility.

(2) The department, with the approval of the office, may adopt rules specifying the administrative procedures applicable to applications for certification, the form and manner in which the applications shall be filed and additional information to be contained therein. The rules shall apply to administrative procedures before both the office and the department. An applicant shall have the opportunity for a hearing before the office and the department in respect to their respective decisions granting or denying approval or certification.

Sec. 3. Section 4, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.040 are each amended to read as follows:

(1) No certificate or supplement other than a modified certificate or supplement issued under section 2(1) of this 1982 act may be issued after December 31, 1984. No certificate including a supplement thereto shall be issued for cogeneration facility costs in excess of ten million dollars for any application submitted under this chapter.

(2) The department shall keep a running tabulation of the total cogeneration facility costs incurred or planned to be incurred pursuant to certificates or supplements issued under this chapter. The department may not issue any new certificate or any supplement if the certificate or supplement would result in the tabulation exceeding one hundred million dollars. Nothing in this section shall be deemed to bar any certificate holder from amending the certificate or obtaining a supplement thereto so long as the amendment or supplement is issued prior to December 1, 1984, and does not increase the total amount of cogeneration facility costs incurred or planned to be incurred under the original certificate.

(3) The department may adopt any rules under chapter 34.04 RCW it considers necessary for the administration of this chapter.

NEW SECTION, Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, on line 1 of the title, after "taxation;" insert "amending section 3, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.030;" and on line 2, after "82.35.040;" insert "adding a new section to chapter 82.35 RCW;"

Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Passed to Committee on Rules for second reading.

March 2, 1982

SUBSTITUTE SENATE BILL NO. 4648, Prime Sponsor: Committee on Education, allowing school districts and educational districts to be self-insurers under industrial insurance provisions. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Bender, Cantu, Dickie, Ellis, Galloway, Hine, James, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Not attending: Representatives Valle, Ranking Minority Member; Armstrong, Eberle, Eng.

Passed to Committee on Rules for second reading.

March 2, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4655, Prime Sponsor: Committee on Education, making changes in the learning objectives and basic education school law. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 24 strike everything down to and including "reduction." on page 6, line 23 and insert the following:

"(1) For the purposes of this section and RCW 28A.41.130 and 28A.41.140, each as now or hereafter amended:

(a) The term 'total program hour offering' shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

(b) 'Instruction in work skills' shall include instruction in one or more of the following areas: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

(2) Satisfaction of the basic education goal identified in RCW 28A.58.752 shall be considered to be implemented by the following program requirements:

(a) Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours. The program shall include reading, arithmetic, language skills and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program;

(b) Each school district shall make available to students in grades one through three, at least a total program hour offering of two thousand seven hundred hours with an emphasis being placed on basic skills. ~~((A minimum of ninety-five percent of the total))~~ Program hour offerings shall be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health ~~((and)), physical education((-The remaining five percent of the total program hour offerings may include)), and in~~ such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(c) Each school district shall make available to students in grades four through six at least a total program hour offering of two thousand nine hundred seventy hours with an emphasis being placed on basic skills. ~~((A minimum of ninety percent of the total))~~ Program hour offerings shall be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health ~~((and)), physical education((-The remaining ten percent of the total program hour offerings may include)), and in~~ such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(d) Each school district shall make available to students in grades seven through eight, at least a total program hour offering of one thousand nine hundred eighty hours with an emphasis being placed on basic skills. ~~((A minimum of eighty-five percent of the total))~~ Program hour offerings shall be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education ~~((A minimum of ten percent of the total program hour offerings shall be)); in the area of work skills((-The remaining five percent of the total program hour offerings may include)); and in~~ such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;

(e) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours with an emphasis being placed on basic skills. ~~((A minimum of sixty percent of the total))~~ Program hour offerings shall be in the basic skills areas of language arts, foreign language, mathematics, social studies, science, music, art, health and physical education ~~((A minimum of twenty percent of the total program hour offerings shall be)); in the area of work skills((-The remaining twenty percent of the total program hour offerings may include traffic safety or)); and in~~ such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades ~~((with not less than one-half thereof in basic skills and/or work skills)); PROVIDED, That each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours.~~

(3) ~~((In order to provide flexibility to the local school districts in the setting of their curricula, and in order to maintain the intent of this legislation, which is to stress the instruction of basic skills and work skills, any local school district may establish minimum course mix percentages that deviate by up to five percentage points above or below those minimums required by subsection (2) of this section, so long as the total program hour requirement is still met.~~

~~((4))~~ Nothing contained in subsection (2) of this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

~~((5))~~ (4) Each school district's basic educational program shall be accessible to all students who are five years of age and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten ~~((PROVIDED, That effective May 1, 1979,)).~~ A school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all

such students may be claimed as a full time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.41.130 and 28A.41.140, each as now or hereafter amended.

~~((67))~~ (5) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.41.130 and 28A.41.140, each as now or hereafter amended, and such related supplemental program approval requirements as the state board may establish (~~(: PROVIDED, That)~~). ~~Each school district board of directors shall establish ((the basis and means for determining and monitoring the district's compliance with the basic skills and work skills percentage and course requirements of this section. The certification of the board of directors and the superintendent of a school district that the district is in compliance with such basic skills and work skills requirements may be accepted by the superintendent of public instruction and the state board of education)) a schedule for regular public review of the emphasis and priority allotted to basic skills and work skills within the district's basic education program.~~

~~((77))~~ (6) Handicapped education programs, vocational-technical institute programs, state institution and state residential school programs, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills ~~((percentage and))~~ course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.

~~((88))~~ (7) Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction."

On page 6, following section 2 add a new section to read as follows and renumber the remaining sections consecutively, and make internal reference changes as necessary throughout the bill:

"Sec. 3. Section 1, chapter 47, Laws of 1975 and RCW 28A.58.430 are each amended to read as follows:

Any common school district board of directors is empowered to direct and authorize, and to delegate authority to an employee, officer, or agent of the common school district or the educational service district to direct and authorize, the county treasurer to invest funds described in RCW 28A.58.435 and 28A.58.440 and funds from state and federal sources as are then or thereafter received by the educational service district, and such funds from county sources as are then or thereafter received by the county treasurer, for distribution to the common school districts. Funds from state, county and federal sources which are so invested may be invested only for the period the funds are not required for the immediate necessities of the common school district as determined by the school district board of directors or its delegatee, and shall be invested in behalf of the common school district pursuant to the terms of RCW 28A.58.435 ~~((or))~~, 28A.58.440, or 36.29.020, as now or hereafter amended, as the nature of the funds shall dictate. A grant of authority by a common school district pursuant to this section shall be by resolution of the board of directors and shall specify the duration and extent of the authority so granted. Any authority delegated to an educational service district pursuant to this section may be redelegated pursuant to RCW 28A.21.095, as now or hereafter amended."

On line 6 of the title after "RCW 28A.58.754;" add "amending section 1, chapter 47, Laws of 1975 and RCW 28A.58.430;"

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Bender, Cantu, Dickie, Eberle, Ellis, Galloway, Hine, James, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Not attending: Representatives Armstrong, Eng.

Passed to Committee on Rules for second reading.

March 1, 1982

SUBSTITUTE SENATE BILL NO. 4859, Prime Sponsor: Committee on Local Government, permitting prepayment of retail sales and use taxes imposed by cities, counties and metropolitan municipal corporations. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 3, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 144, Laws of 1981 and RCW 82.14.020 are each amended to read as follows:

For purposes of this chapter:

(1) A retail sale consisting solely of the sale of tangible personal property shall be deemed to have occurred at the retail outlet at or from which delivery is made to the consumer;

(2) A retail sale consisting essentially of the performance of personal business or professional services shall be deemed to have occurred at the place at which such services were primarily performed;

(3) A retail sale consisting of the rental of tangible personal property shall be deemed to have occurred (a) in the case of a rental involving periodic rental payments, at the primary place of use by the lessee during the period covered by each payment, or (b) in all other cases, at the place of first use by the lessee;

(4) A retail sale within the scope of the second paragraph of RCW 82.04.050, and a retail sale of taxable personal property to be installed by the seller shall be deemed to have occurred at the place where the labor and services involved were primarily performed;

(5) A retail sale consisting of the providing to a consumer of competitive telephone service, as defined in RCW 82.16.010, other than a sale of tangible personal property under subsection (1) of this section or a rental of tangible personal property under subsection (3) of this section, shall be deemed to have occurred at the situs of the primary telephone or other instrument through which the competitive telephone service is rendered;

(6) 'City' means a city or town;

(7) The meaning ascribed to words and phrases in chapters 82.04, 82.08 and 82.12 RCW, as now or hereafter amended, insofar as applicable, shall have full force and effect with respect to taxes imposed under authority of this chapter;

(8) 'Taxable event' shall mean any retail sale, or any use of an article of tangible personal property, upon which a state tax is imposed pursuant to chapter 82.08 or 82.12 RCW, as they now exist or may hereafter be amended: PROVIDED, HOWEVER, That the term shall not include a retail sale taxable pursuant to RCW 82.08.150, as now or hereafter amended;

(9) 'Treasurer or other legal depository' shall mean the treasurer or legal depository of a county or city.

NEW SECTION. Sec. 2. There is added to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW a new section to read as follows:

The taxes provided by this chapter may be deposited by any taxpayer prior to the due date thereof with the treasurer or other legal depository for the benefit of the funds to which they belong to be credited against any future tax or assessment that may be levied or become due from the taxpayer: PROVIDED, That the taxpayer may with the concurrence of the legislative authority designate a particular fund of such county or city against which such prepayment of tax or assessment is made. Such prepayment of taxes or assessments shall not be considered to be a debt for the purpose of the limitation of indebtedness imposed by law on a county or city.

By agreement made pursuant to chapter 39.34 RCW, counties or cities may utilize tax revenues received under the authority of this chapter in connection with large construction projects, including energy facilities as defined in RCW 80.50.020, for any purpose within their power or powers; privileges or authority exercised or capable of exercise by such counties or cities including, but not limited to, the purpose of the mitigation of socioeconomic impacts that may be caused by such large construction projects: PROVIDED, That the taxable event need not take place within the jurisdiction where the socioeconomic impact occurs if an intergovernmental agreement provides for redistribution.

NEW SECTION. Sec. 3. There is added to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW a new section to read as follows:

When permitted by resolution or ordinance, any tax authorized by this chapter may be paid prior to the taxable event to which it may be attributable. Such prepayment shall be made by deposit with the treasurer or other legal depository for the benefit of the funds to which they belong. They shall be credited by any county or city against any future tax that may become due from a taxpayer: PROVIDED, That the taxpayer with the concurrence of the legislative authority may designate a particular fund of such county or city against which such prepayment of tax is made. Prepayment of taxes under this section shall not relieve any taxpayer from remitting the full amount of any tax imposed under the authority of this chapter upon the occurrence of the taxable event."

In the title, page 1, line 1, strike everything after "AN ACT Relating to" and insert "retail sales and use taxes imposed by counties and cities; amending section 3, chapter 94, Laws of 1970 ex. sess. as amended by section 4, chapter 144, Laws of 1981 and RCW 82.14.020; and adding new sections to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW."

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Brown, Burns, Chamberlain, Cole, James, Kreidler, Leonard, North, Stratton.

Not attending: Representatives Brown, Garrett, Tilly, Van Dyken.

Passed to Committee on Rules for second reading.

March 2, 1982

SUBSTITUTE SENATE BILL NO. 4917, Prime Sponsor: Committee on Education, redefining superintendent of public instruction position on state board of education. Reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 16 after "vote" strike everything through "thereon)" on line 19 and insert "only when there is a question before the board upon which no majority opinion has been reached among the board members present and voting thereon and the superintendent's vote is essential for action thereon"

On page 4, after line 18 insert a new section to read as follows:

"Sec. 3. Section 28A.04.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.100 are each amended to read as follows:

The ((superintendent of public instruction)) state board of education shall appoint some person to be ex officio secretary of said board who shall not be entitled to a vote in its proceedings. The secretary shall keep

a correct record of board proceedings (~~(in a good and well bound book)~~), which shall be kept in the office of the superintendent of public instruction. He shall also, upon request, furnish to interested school officials a ~~((certified))~~ copy of such proceedings."

Remember the remaining section.

On page 1, line 5 of the title after "28A.03.030;" insert "amending section 28A.04.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.100;"

Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Bender, Cantu, Dickie, Eberle, Ellis, Galloway, Hine, Lewis, Maxie, McDonald, Vander Stoep, Warnke.

Not attending: Representatives Armstrong, Bender, Eberle, Eng, James.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 997, by Representatives McDonald, Chandler, Salatino, Johnson, O'Brien, Tupper, Hankins and North:

Abolishing forty percent validation requirement for school districts in certain bond elections, but contingent upon passage of constitutional amendment.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McDonald, Galloway, Taylor, Cole, Heck and Teutsch spoke in favor of the bill, and Representatives Padden, James, Greengo, Addison and Dickie spoke against it.

Representatives Taylor and McDonald spoke again in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 997, and the bill passed the House by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley.

Voting nay: Representatives Addison, Barr, Becker, Berleen, Bickham, Bond, Cantu, Clayton, Dickie, Eberle, Fancher, Flanagan, Greengo, Hastings, Houchen, Isaacson, James, Leonard, Lundquist, Nickell, Owen, Padden, Sanders, Schmidt, Smith, Stratton, Wilson, and Mr. Speaker.

Not voting: Representative Rinehart.

House Bill No. 997, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT RESOLUTION NO. 13, by Representatives Williams, Dawson, Isaacson and Dickie:

Modifying fiscal provisions of the state Constitution.

The resolution was read the second time. On motion of Mr. Williams, Substitute House Joint Resolution No. 13 was substituted for House Joint Resolution No. 13, and the substitute resolution was placed on the calendar for second reading.

Substitute House Joint Resolution No. 13 was read the second time.

On motion of Mr. Heck, the following amendment by Representatives Heck, Ehlers and Grimm was adopted:

On page 2, following line 17 add a new subsection as follows:

"(3) It is the duty of the state to insure that the state budget is balanced at the end of each biennium."

The resolution was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE JOINT RESOLUTION NO. 20, by Representatives McDonald, Chandler, Salatino, Tupper, North, Johnson and O'Brien:

Removing forty percent validation requirement for excess levy elections.

The resolution was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives McDonald, Cole, Taylor and Galloway spoke in favor of passage of the resolution, and Representatives Padden and Flanagan spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Addison: "Mr. Speaker, how many votes does this require to pass?"

The Speaker: "Sixty-six."

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 20, and the resolution passed the House by the following vote: Yeas, 70; nays, 27; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley.

Voting nay: Representatives Addison, Barr, Becker, Berleen, Bickham, Bond, Cantu, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Greengo, Hastings, Houchen, Isaacson, James, Leonard, Lundquist, Nickell, Owen, Sanders, Schmidt, Smith, Wilson, and Mr. Speaker.

Not voting: Representative Rinehart.

House Joint Resolution No. 20, having received the constitutional two-thirds majority, was declared passed.

NOTICE OF RECONSIDERATION

Mr. Padden, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Joint Resolution No. 20 passed the House.

Representative Rinehart appeared at the bar of the House.

HOUSE BILL NO. 1109, by Representatives Sommers, Greengo and King (J):

Modifying provisions relating to the budget stabilization act.

The bill was read the second time. On motion of Mr. Nelson (G), Substitute House Bill No. 1109 was substituted for House Bill No. 1109, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1109 was read the second time and passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-129, by Representatives Isaacson, Hankins, Clayton and Dickie:

WHEREAS, In the field of alternative energy source development, Pyrenco, Inc. of Prosser, Washington, has substantially contributed to the application of scientific principles to practical use; and

WHEREAS, Pyrenco, Inc. has after more than two years of research developed a scientific process for converting solid waste matter into a synthetic gas suitable for trouble-free use in any internal combustion engine; and

WHEREAS, The Pyrenco conversion process can utilize fuel materials such as corn stalks, sawdust, hay and straw, pine cones, or food processing wastes producing only water vapor and ash as by-products; and

WHEREAS, The Pyrenco process has proved suitable for steam production, thermal drying, and electrical generation and is, in fact, now generating electrical power; and

WHEREAS, In October of 1981 Pyrenco entered a cross-country road rally for alternatively fueled vehicles and took first place in the solid fuels division with a six-cylinder pickup truck powered entirely by processed waste products;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Frederick P. Beirele, President of Pyrenco, Inc., and Donald E. Chittick, Ph.D., Director of Research be commended for their valued work and continued research in developing practical energy alternatives in this state; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Pyrenco, Inc., its president and director of research.

Representative Isaacson moved adoption of the resolution. Representatives Isaacson and McDonald spoke in favor of the resolution, and Mr. Nelson (D) spoke against it.

House Resolution No. 82-129 was adopted.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

HOUSE BILL NO. 795, by Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

Establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 5th Day, 1981 2nd ex. sess., November 13, 1981.)

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Warnke.

Mr. Warnke: "Representatives Sanders, this amendment would set user fees to equal the appropriation for the industrial relations division. How much is that?"

Mr. Sanders: "The legislation before us would be effective the second year of the biennium and the amount for that year is \$778,390."

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

On motion of Mr. King (R), the following amendments by Representatives King (R) and Sanders were adopted:

On page 1, line 11 strike "contractors and subcontractors" and insert "awarding agencies."

On page 1, beginning on line 21 after "to" strike "approve statements, certify affidavits, or"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sanders spoke in favor of passage of the bill, and Mr. Flanagan spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 795, and the bill passed the House by the following vote: Yeas, 76; nays, 20; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barrett, Becker, Bender, Berleen, Bickham, Brown, Burns, Cantu, Chamberlain, Chandler, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, Mitchell, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Barr, Bond, Clayton, Cole, Dickie, Flanagan, Hine, Leonard, Lundquist, McCormick, McDonald, McGinnis, Monohon, Nickell, Prince, Rosbach, Smith, Struthers, Vander Stoep.

Not voting: Representatives Brekke, Hastings.

Engrossed House Bill No. 795, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 2, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4200,
ENGROSSED SENATE BILL NO. 4507,
ENGROSSED SENATE BILL NO. 4877,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4963,
ENGROSSED 2ND SUBSTITUTE SENATE JOINT RESOLUTION NO.
111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 174,
HOUSE BILL NO. 289,
HOUSE BILL NO. 330,
HOUSE BILL NO. 554,
HOUSE BILL NO. 1067.

HOUSE BILL NO. 1128, by Committee on Ethics, Law and Justice and Representatives Ellis and Van Dyken:

Enacting the Uniform Unclaimed Property Act of 1982.

The bill was read the second time. On motion of Mr. Ellis, Substitute House Bill No. 1128 was substituted for House Bill No. 1128, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1128 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1128, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives McCormick, Owen, Warnke.

Substitute House Bill No. 1128, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 796, by Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

Revising laws on review of apprenticeship programs.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 40th Day, February 19, 1982.)

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

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

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Lewis.

Mr. Lewis: "Representative Sanders, I've received a lot of concern, expressed from independent contractors and other nonunion operations. Would this bill, in any way, adversely impact their ability for apprenticeship programs?"

Mr. Sanders: "No, it would not. In the current apprenticeship program, the participants are of both union and nonunion companies."

Mr. Lux spoke against passage of the bill, stating that he would vote for it.

Mr. Williams spoke in favor of the bill, and Ms. Teutsch spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 796, and the bill passed the House by the following vote: Yeas, 73; nays, 25; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Burns, Cole, Dickie, Ehlers, Eng, Gallagher, Garrett, Grimm, Heck, Hine, Kreidler, Leonard, Monohon, Nelson D., North, O'Brien, Prince, Rinehart, Rust, Sherman, Teutsch, Wang, Warnke.

House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 24, by Representatives Berleen, McCormick, Dickie, Brown, Eberle, Owen and Leonard:

Requesting the end of mandatory vehicle emission testing.

The memorial was read the second time.

Mr. Struthers moved that the rules be suspended, the second reading considered the third, and the memorial be placed on final passage.

Mr. Heck spoke against the motion, and Mr. Struthers withdrew the motion.

House Joint Memorial No. 24 was passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 733, by Committee on State Government (originally sponsored by Committee on State Government and Representative Garson):

Extending provisions permitting deductions from state retirement benefits.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 733, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson,

Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 733, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SENATE BILL NO. 4468, by Senator Scott:

Revising laws concerning authorized deductions of retirement pay.

The bill was read the third time.

On motion of Mr. Nelson (G), the rules were suspended, and Senate Bill No. 4468 was returned to second reading for the purpose of amendment.

On motion of Mr. Nelson (G), further consideration of Senate bill No. 4468 was deferred, and the bill was ordered placed at the top of the second reading calendar.

SUBSTITUTE SENATE BILL NO. 4469, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Patterson, Hansen and Vognild):

Advancing construction of interstate highways.

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

Representatives Wilson, Cantu, Lewis, Clayton, Sanders and Smith spoke in favor of the bill, and Representatives Lux, Wang, Sommers and Burns spoke against it.

Mr. Martinis spoke against passage of the bill, stating he would vote for it, however, and Mr. Taylor spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4469, and the bill passed the House by the following vote: Yeas, 68; nays, 30; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Vander Stoep, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Heck, Kaiser, King J., Kroidler, Lux, Maxie, Nelson D., O'Brien, Owen, Pruitt, Rinehart, Rust, Schmidt, Sherman, Sommers, Tilly, Valle, Van Dyken, Wang, Williams.

Substitute Senate Bill No. 4469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 1, by Representatives Tilly, Padden, Leonard, Barrett, Isaacson, Addison, Sanders, Eberle, Patrick, Barr, Schmitten, Lewis, Taylor, Tupper, Berleen, Schmidt, Smith, Bond, Hastings, Clayton, Mitchell, McGinnis, Ellis and Owen:

Requesting Congress to amend the Constitution to require a balanced Federal budget.

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

Mr. Heck moved that the rules be suspended, and the memorial be returned to second reading for amendment.

Mr. Heck spoke in favor of the motion, and Mr. Tilly spoke against it.

Mr. Grimm demanded an electric roll call vote on the motion, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and return House Joint Memorial No. 1 to second reading, and the motion failed to receive the required two-thirds majority vote, by the following vote: yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Prince, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, and Mr. Speaker.

Not voting: Representatives Gallagher, Schmidt, Van Dyken.

The Speaker stated the question before the House to be the final passage of House Joint Memorial No. 1.

Mr. Struthers demanded an oral roll call vote, and the demand was sustained.

Representatives Tilly, Lewis, Hastings and Berleen spoke in favor of the memorial, and Representatives Ehlers, Erak and Tupper spoke against it.

POINT OF INQUIRY

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

Mr. Nelson (D): "Representative Tilly, as one who voted against this measure last year, I have to admit that I've been rethinking my position. The reason for my rethinking is that we are now seeing budget deficits that are not in the \$40 or \$50 billion category, but \$100 billion plus category, and it appears those deficits, instead of coming down during this administration, will probably go up. This is in spite of massive cuts, not only in social programs, but all programs, almost across the board. It's being pushed, of course, by increases in one program, the defense program of this country. President Reagan, your President, rated the budget deficit and the need for a balanced budget with economic recovery in this country when he campaigned for election, and he indicated that high interest rates and high inflation rates could be reduced, could be mitigated by balancing the budget. In fact, it seemed that was the key part of his economic program. I guess I'm puzzled then, why the administration has apparently reversed itself, and I believe it was Mr. Regan, the Treasury Secretary, who announced not too long ago that the budget deficit and balancing the budget were not crucial any longer and were not linked to economic recovery. I'm wondering whether you agree with your president's position as enunciated by the Treasury Secretary, and whether, indeed, this particular memorial will achieve the result that we all would like to see, and that is an economic recovery that really does reduce inflation and reduce interest rates?"

Mr. Tilly: "Representative Nelson, I support very strongly what President Reagan is attempting to do. I believe he has inherited a real mess, just like Governor Spellman did. I think for too long Americans have been used to the good life. I believe America is suffering right now from not being competitive in the world market. Look at what's happening in many of our major industries—we're pricing ourselves out. I believe the program the President has embarked on is to try to lick inflation. I think that was one of his main themes. You think of some progress there, but we all knew when we went into this that it was not going to be done easily. What we're expecting is an instant miracle; we want a quick fix. We'd like to have it solved within the next ten or fifteen minutes. Americans are very impatient and we're going to have to learn to be resourceful. I feel that the President's program, at this point, is perhaps overly ambitious. I think when you try to balance the budget, cut taxes and increase the defense budget all in one time, it is trying to do too much. I think if he just attempted to do one of those, then we wouldn't have the deficit that's being projected for this year."

Representatives Padden, Bond, McGinnis and Dickie spoke in favor of the memorial, and Representatives Becker and King (J) spoke against it.

POINT OF INQUIRY

Mr. Hastings yielded to question by Mr. Lux.

Mr. Lux: "Representative Hastings, when was the last time the United States had a balanced budget?"

Mr. Hastings: "Representative Lux, I just simply can't answer that right off the top of my head. I'd have to do some research. I think it was probably before we embarked on all of those big spending programs with the idea that government can solve all of our problems. I can't give you the specific date of that."

Representatives Lux, Heck, Grimm and Scott spoke against the memorial, and Representatives Williams, Owen and Salatino spoke in favor of it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

Mr. Tilly closed debate, speaking again in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 1, and the memorial passed the House by the following vote; Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Addison, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Rosbach, Salatino, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Bender, Brekke, Burns, Cole, Dawson, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Prince, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Wilson, Winsley.

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

NOTICE OF RECONSIDERATION

Ms. Becker, having voted on the prevailing side, serve notice, that she would, on the next working day, move for reconsideration of the vote by which House Joint Memorial No. 1 passed the House.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4200, by Committee on State Government (originally sponsored by Senators Metcalf, Rasmussen and Deccio - by Department of General Administration request):

Revising the law on public works.

To Select Committee on Deregulation and Productivity

ENGROSSED SENATE BILL NO. 4507, by Senators Clarke and Rasmussen (by State Treasurer request):

Extending the state treasurer's authority to invest treasury surplus.

To Committee on Ways and Means

ENGROSSED SENATE BILL NO. 4877, by Senators Newhouse and Lee:

Authorizing the expenditure of certain bond moneys for new sewer lines.

To Committee on Local Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, by Committee on Transportation (originally sponsored by Senators von Reichbauer and Talley):

Authorizing an extended industrial development levy by port districts.

To Committee on Labor and Economic Development

ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Fuller, McCaslin and Bauer):

Authorizing loans for energy conservation and renewable energy resources.

To Committee on Energy and Utilities

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1141 was rereferred from Committee on Rules to Committee on Appropriations - General Government

On motion of Mr. Nelson (G), SENATE BILL NO. 3609 was rereferred from Committee on Rules to Committee on Appropriations - Education.

NOTICE OF RECONSIDERATION WITHDRAWN

There being no objection, Mr. Padden withdrew his notice of reconsideration of House Joint Resolution No. 20.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Thursday, March 4, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-THIRD DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Thursday, March 4, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Holly Hecker and John Farrow. Prayer was offered by The Reverend Stanley Workman, Minister of the Evergreen Christian Reformed Church of Olympia.

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

MESSAGES FROM THE SENATE

March 3, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 174,
HOUSE BILL NO. 289,
HOUSE BILL NO. 330,
HOUSE BILL NO. 554,
HOUSE BILL NO. 1067,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 751,
HOUSE BILL NO. 832;
ENGROSSED HOUSE BILL NO. 844,
HOUSE BILL NO. 1013,
SUBSTITUTE HOUSE BILL NO. 1041,
ENGROSSED HOUSE JOINT MEMORIAL NO. 14,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 3, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3743, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 3, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4437, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 3, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4469,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 4469.

REPORTS OF STANDING COMMITTEES

March 3, 1982

ENGROSSED SUBSTITUTE HOUSE BILL NO. 786, Prime Sponsor: Select Committee on Redistricting, providing for congressional redistricting and reapportionment and including a redistricting commission. Reported by Committee on Rules.

Rereferred to Select Committee on Redistricting

March 3, 1982

HOUSE BILL NO. 1138, Prime Sponsor: Representative Garson, authorizing the issuance of industrial development revenue bonds for nursing home and retirement community facilities. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 32 strike all of section 2.

On page 1, beginning on line 2 of the title strike "; and declaring an emergency"

Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Barr, Barrett, Berleen, Chamberlain, James, Kreidler, Stratton, Tilly, Van Dyken.

Voting nay: Representatives Hine, Ranking Minority Member; Burns, Cole, Garrett, Leonard.

Not attending: Representatives Brown, North, Tilly.

Passed to Committee on Rules for second reading.

March 3, 1982

HOUSE BILL NO. 1231, Prime Sponsor: Committee on Local Government, authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Lundquist, Vice Chairman; Hine, Ranking Minority Member; Barr, Barrett, Berleen, Burns, Chamberlain, Cole, Garrett, James, Kreidler, Stratton, Tilly.

Not attending: Representatives Brown, Leonard, North, Van Dyken.

Passed to Committee on Rules for second reading.

March 3, 1982

ENGROSSED SENATE BILL NO. 3916, Prime Sponsor: Senator Quigg, requiring modification of shoreline classification to reflect changed circumstances. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Barr, Brekke, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Owen, Stratton, Williams.

Voting nay: Representative Valle.

Not signing report: Representative Dawson.

Not attending: Representatives Addison, McDonald, Rinehart, Thompson, Wilson.

Passed to Committee on Rules for second reading.

March 3, 1982

SENATE BILL NO. 4025, Prime Sponsor: Senator Jones, vacating Smith's Cove waterway. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9 after "act" insert "the department of natural resources shall determine the fair market value through appraisal and upon receipt of the full appraisal price from the Port of Seattle."

Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Barr, Dawson, Erak, Garson, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Stratton, Valle, Williams, Wilson.

Voting nay: Representatives North, Ranking Minority Member; Brekke.

Not attending: Representatives Addison, Rinehart, Thompson.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4046, Prime Sponsor: Committee on Agriculture, modifying testing procedures for brucellosis adult vaccinated cattle. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Gallagher, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Ehlers, Fancher, Fiske, Hastings.

Passed to Committee on Rules for second reading.

March 3, 1982

SENATE BILL NO. 4436, Prime Sponsor: Senator Hansen, providing for no implied warranty that livestock are free from disease or breedable. Reported by Committee on Ethics, Law and Justice.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 14 after "disease" strike "or that the livestock are breedable" and insert "PROVIDED, That the seller has complied with all state and federal laws and regulations that apply to animal health and disease, and the seller is not guilty of fraud, deceit or misrepresentation"

Signed by Representatives Ellis, Chairman; Padden, Vice Chairman; Salatino, Ranking Minority Member; Bickham, Patrick, Schmidt, Tilly, Winsley.

Voting nay: Representatives Armstrong, Becker, Pruitt, Tupper, Wang.

Not attending: Representative Granlund.

Passed to Committee on Rules for second reading.

March 3, 1982

SENATE BILL NO. 4466, Prime Sponsor: Senator Gallagher, revising law on inspecting businesses that sell or handle wildlife. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Barr, Brekke, Erak, Lundquist, Martinis, McDonald, Mitchell, Nickell, Owen, Stratton, Valle, Williams.

Not signing report: Representative Garson.

Not attending: Representatives Addison, Dawson, McDonald, Rinehart, Thompson, Wilson.

Passed to Committee on Rules for second reading.

March 3, 1982

SENATE BILL NO. 4522, Prime Sponsor: Senator Gallagher, modifying provisions relating to salmon fishing. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Brekke, Dawson, Erak, Garson, Martinis, Mitchell, Nickell, Owen, Stratton, Valle, Williams, Wilson.

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

Voting nay: Representatives Barr, Lundquist.

Not attending: Representatives Garson, McDonald, Rinehart, Thompson.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4550, Prime Sponsor: Committee on Natural Resources, revising requirements to facilitate checking compliance with game laws. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass. Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; North, Ranking Minority Member; Addison, Barr, Brekke, Dawson, Erak, Garson, Lundquist, Martinis, Mitchell, Nickell, Owen, Stratton, Valle, Williams, Wilson.

Not attending: Representatives Garson, McDonald, Rinehart, Thompson.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4566, Prime Sponsor: Committee on Agriculture, modifying requirements for audits of agriculture marketing funds. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Fancher, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Ehlers, Fiske.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4824, Prime Sponsor: Committee on Natural Resources, providing separate chapters of laws of aquatic lands. Reported by Committee on Natural Resources and Environmental Affairs.

MAJORITY recommendation: Do pass with the following amendments:

On page 100, after line 20 insert the following:

"Sec. 176. Section 2, chapter 97, Laws of 1979 ex. sess. and RCW 79.01.525 are each amended to read as follows:

During the term of an existing lease and in issuing or renewing leases or re-leasing tidelands, shorelands, beds of navigable waters, waterways and harbor areas ((pursuant to RCW 79.01.526)), the annual rental fee for a ((harbor area)) lease shall not increase at a rate of more than six percent per year, ((regardless of the reappraised value of the harbor area unless the reappraisal is conducted by an independent fee appraiser who is a member of the Appraisal Institute and designated M.A.I. or a member of the Society of Real Estate Appraisers who is designated S.R.P.A. or S.R.E.A. and who uses local comparable land values)) beyond the rental fee in effect January 1, 1981, under the same lease or, for leases issued or renewed since then, beyond the rental fees for similar aquatic lands used for similar uses prevailing on January 1, 1981. This section does not apply to geoduck harvesting leases, clam harvesting leases or oyster bed leases which are established by a competitive bid process. This section shall expire and have no further legal effect after July 1, ((+1982)) 1985."

Renumber the remaining sections consecutively.

On page 101, following line 18 insert a new section as follows:

***NEW SECTION.** Sec. 178. An aquatic lands task force shall be convened to study the laws governing the management of state-owned marine lands, shorelands, and harbor areas and the manner in which the department of natural resources has interpreted and administered these laws in fulfillment of trust management responsibilities. The purpose of the study is to propose legislation which will (1) clearly define aquatic lands; (2) articulate a management philosophy; (3) provide procedures for managing and appraising these lands; and (4) provide a comprehensive recodification and revision of laws related to aquatic lands. Task force membership shall include three members of the house of representatives appointed by the speaker; three members of the senate appointed by the president; representatives of the department of natural resources and other public and private entities interested in the administration of aquatic lands. A chairman shall be elected by the legislative membership. The chairman shall determine specific task force membership. The task force shall report its findings, not later than January 1, 1983, to the natural resources and environmental affairs committee of the house of representatives and the natural resources committee of the senate."

Renumber the remaining sections consecutively.

On page 101, line 20 strike "and 79.01.525"

On page 2, line 23 of the title after "79.01.414;" insert "amending section 2, chapter 97, Laws of 1979; and RCW 79.01.525;"

On page 2, beginning on line 26 of the title after ".521" strike "and 79.01.525"

On page 7, line 4 of the title after "79.20.170;" strike "and" and on line 6 after "79.20.180" insert "and creating a task force"

Signed by Representatives Rosbach, Chairwoman; Chamberlain, Vice Chairman; Addison, Barr, Dawson, Erak, Garson, Lundquist, Mitchell, Nickell, Owen, Stratton, Williams, Wilson.

Voting nay: Representatives North, Ranking Minority Member; Brekke, Martinis.

Not signing report: Representative Valle.

Not attending: Representatives Garson, McDonald, Rinehart, Thompson.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4846, Prime Sponsor: Committee on Agriculture, authorizing the department of ecology to acquire and operate the Lake Osoyoos International Water Control Structure. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Fancher, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Ehlers, Fiske.

Passed to Committee on Rules for second reading.

March 3, 1982

SUBSTITUTE SENATE BILL NO. 4852, Prime Sponsor: Committee on Agriculture, modifying provisions on delinquent irrigation district assessments. Reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Chairman; Van Dyken, Vice Chairman; Galloway, Ranking Minority Member; Fancher, Gallagher, Hastings, Kaiser, Lux, Padden, Prince, Sommers.

Not attending: Representatives Amen, Ehlers, Fiske.

Passed to Committee on Rules for second reading.

March 3, 1982

ENGROSSED SENATE JOINT MEMORIAL NO. 115, Prime Sponsor: Senator Bauer, opposing the imposition of user fees to fund federal navigation projects. Reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Isaacson, Chairman; Hine, Ranking Minority Member; Barr, Barrett, Burns, Chamberlain, Cole, Kreidler, Leonard, Tilly.

Voting nay: Representatives Lundquist, Vice Chairman; Berleen, Garrett, James, Stratton.

Not attending: Representatives Brown, North, Van Dyken.

Passed to Committee on Rules for second reading.

SECOND READING

SENATE BILL NO. 4468, by Senator Scott:

Revising laws concerning authorized deductions of retirement pay.

The bill was read the second time.

On motion of Mr. Garson, the following amendments by Representatives Garson and Kreidler were adopted:

On page 2, after line 20 add a section as follows:

*Sec. 2. Section 39, chapter 274, Laws of 1947 as last amended by section 6, chapter 205, Laws of 1979 ex. sess. and RCW 41.40.380 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, the right of a person to a pension, an annuity, or retirement allowance, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, the various funds created by this chapter, and all moneys and investments and income thereof, are hereby exempt from any state, county, municipal, or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever, and shall be unassignable.

(2) This section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group ((life or disability)) insurance policy or

plan issued for the benefit of a group comprised of public employees of the state of Washington or its political subdivisions and which has been approved for deduction in accordance with rules and regulations that may be promulgated by the state employees' insurance board and/or the department of retirement systems, and this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of dues and other membership fees to any retirement association or organization the membership of which is composed of retired public employees, if a total of three hundred or more of such retired employees have authorized such deduction for payment to the same retirement association or organization.

(3) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation."

Re-number remaining section consecutively.

On page 1, on line 3 of the title after "41.32.590;" insert "amending section 39, chapter 274, Laws of 1947 as last amended by section 6, chapter 205, Laws of 1979 ex. sess. and RCW 41.40.380;"

Senate Bill No. 4468 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 4354, by Senator Lee:

Providing choices for personnel or civil service system for employees of combined city and county health departments.

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

SENATE BILL NO. 4584, by Senators Hemstad, Hansen, Benitz and Quigg:

Putting Arabian horse racing under parimutuel betting system.

The bill was read the second time.

Mr. Struthers moved adoption of the following amendments by Representatives Struthers and Scott:

On page 2, following section 4 add a new section as follows and renumber the remaining section consecutively:

"Sec. 5. Section 3, chapter 233, Laws of 1969 ex. sess. as last amended by section 3, chapter 31, Laws of 1979 and RCW 67.16.102 are each amended to read as follows:

Notwithstanding any other provision of chapter 67.16 RCW to the contrary the licensee shall withhold and shall pay daily to the commission, in addition to the percentages authorized by RCW 67.16.100 and 67.16.130, as now or hereafter amended, and RCW 67.16.105, one percent of the gross receipts of all parimutuel machines at each race meet which sums shall, at the end of each meet, be paid by the commission to the licensed owners of those horses finishing first, second, third and fourth Washington bred only at each meet from which the additional one percent is derived in accordance with an equitable distribution formula to be promulgated by the commission prior to the commencement of each race meet: PROVIDED, That nothing in this section shall apply to race meets which are nonprofit in nature, or of ten days or less or which have an average daily handle of less than one hundred twenty thousand dollars: PROVIDED, That the additional one percent of the gross receipts of all parimutuel machines at each race meet and the amount retained by the commission as specified in RCW 67.16.100 shall be deposited daily in a time deposit by the commission and the interest derived therefrom shall be distributed annually on an equal basis to those ((county legislative authorities that operate fairs, authorized by chapter 36.37 RCW, and)) race courses at which independent race meets are held which are nonprofit in nature and are of ten days or less: PROVIDED, That ((such county legislative authorities have approved and are operating a program of use for said race course for year-round equine training and quartering)) prior to receiving a payment under this section any new race course shall meet the qualifications set forth in this section for a period of two years: PROVIDED, FURTHER, That said distributed funds shall be used for the purpose of maintaining and upgrading the respective racing courses and equine quartering areas of said nonprofit meets. The commission shall not permit the licensees to take into consideration the benefits derived from this section in establishing purses."

In line 9 of the title after "67.16.180;" and before "and creating" insert "amending section 3, chapter 233, Laws of 1969 ex. sess. as last amended by section 3, chapter 31, Laws of 1979 and RCW 67.16.102;"

Representatives Struthers and Scott spoke in favor the amendments, and they were adopted.

Senate Bill No. 4584 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing the law relating to state apportionment for pupil transportation.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 26, 1982.)

Mr. Taylor moved adoption of the committee amendments.

On motion of Mr. Taylor, the following amendment by Representatives Taylor, Galloway and Johnson to the committee amendment was adopted:

On page 2, line 18 of the amendment after "superintendent" strike everything through "district." on line 28 and insert ", and shall include but not be limited to such factors as climate and terrain; restricted passenger load; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district."

The committee amendment as amended was adopted.

Engrossed Substitute Senate Bill No. 4675 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 4481, by Committee on Local Government (originally sponsored by Senators Sellar and Talley):

Revising review limitations of sewer or water district plans.

The bill was read the second time.

Mr. Erak moved adoption of the following amendment by Representatives Erak, Nelson (G) and Scott:

On page 6, after line 19 insert the following:

"Sec. 4. Section 9, chapter 390, Laws of 1955 as last amended by section 18, chapter 156, Laws of 1981 and RCW 54.16.080 are each amended to read as follows:

~~((A district may raise revenue by the levy of an annual tax on all taxable property within the district, not exceeding forty-five cents per thousand dollars of assessed value in any one year, exclusive of interest and redemption for general obligation bonds.))~~ The commission shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file it in its records, on or before the first Monday in September. Notice of the filing of the proposed budget and the date and place of hearing thereon shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in the county. On the first Monday in October, the commission shall hold a public hearing on the proposed budget at which any taxpayer may appear and be heard against the whole or any part thereof. Upon the conclusion of the hearing, the commission shall, by resolution, adopt the budget as finally determined, and fix the final amount of expenditures for the ensuing year. ~~((Taxes levied by the commission shall be certified to and collected by the proper officer of the county in which the district is located in the same manner as provided for the certification and collection of port district taxes. The commission may, prior to the receipt of taxes raised by levy, borrow money or issue warrants of the district in anticipation of the revenue to be derived from the levy or taxes for district purposes, and the warrants shall be redeemed from the first money available from such taxes. The warrants shall not exceed the anticipated revenue of one year, and shall bear interest at a rate determined by the commission.))~~"

Mr. Erak spoke in favor of the amendment.

POINT OF ORDER

Mr. Isaacson: "Mr. Speaker, I would like a ruling on this amendment. I believe it is the subject of another bill still pending before the House, and I also believe it is beyond the scope and object of the bill."

SPEAKER'S RULING

The Speaker: "Representative Isaacson, House Rule 14(D) states, that '...no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House.' The Speaker has examined the amendment and has examined the bill suggested as being incorporated, and finds very little similarity in the language between House Bill 1222, and the amendment, although the subject matter may be the same. Secondly, if I could draw your attention to Reed's Rule 112: 'Both these objections to present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken it is too late.' The Speaker, therefore, will rule that the debate had begun, consideration had begun due to the fact that Representative Erak had already made the opening remarks in favor of the amendment, and therefore, your objection is not timely."

Representatives Isaacson, Lundquist and Kreidler spoke against the amendment, and Representatives James, Scott and Nelson (G) spoke in favor of it.

Mr. Erak spoke again in favor of the amendment, and Mr. Isaacson again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Erak, Nelson (G) and Scott to Substitute Senate Bill No. 4481, and the amendment was not adopted by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Addison, Bender, Bickham, Brown, Cantu, Eberle, Erak, Fancher, Fiske, Flanagan, Gallagher, Houchen, James, Kaiser, King J., Lewis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Taylor, Tupper, Van Dyken, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bond, Brekke, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, King R., Kreidler, Leonard, Lux, Martinis, McCormick, Nickell, Padden, Prince, Pruitt, Rinehart, Rosbach, Sherman, Sommers, Stratton, Struthers, Thompson, Tilly, Valle, Vander Stoep, Walk, Williams.

Not voting: Representatives Becker, Lundquist, Teutsch.

Substitute Senate Bill No. 4481 was passed to Committee on Rules for third reading.

MOTION FOR RECONSIDERATION

Ms. Becker, having given previous notice, moved that the House now reconsider the vote by which HOUSE JOINT MEMORIAL NO. 1 passed the House.

Ms. Becker spoke in favor of the motion, and Mr. Tilly spoke against it.

Mr. Struthers demanded an oral roll call vote and the demand was sustained.

Mr. King (J) spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which House Joint Memorial No. 1 passed the House, and the motion was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Prince, Pruitt, Rinehart, Rust, Schmidt, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Garson, Greengo, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Rosbach, Salatino, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

MOTION

On motion of Mr. Nelson (G), House Joint Memorial No. 1 was ordered immediately transmitted to the Senate.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Fiske, who was excused.

MESSAGE FROM THE SENATE

March 3, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3743,
SUBSTITUTE SENATE BILL NO. 4437,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 751,
 HOUSE BILL NO. 832,
 HOUSE BILL NO. 844,
 HOUSE BILL NO. 1013,
 SUBSTITUTE HOUSE BILL NO. 1041,
 HOUSE JOINT MEMORIAL NO. 14,
 SUBSTITUTE SENATE BILL NO. 3743,
 SUBSTITUTE SENATE BILL NO. 4437.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 996, by Committee on Education (originally sponsored by Representatives Ellis, Ehlers, Eberle, Johnson, Hastings and James):

Allowing exemption from attendance at public schools upon basis of religious or personal beliefs of person having custody of child.

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

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

POINT OF INQUIRY

Mr. Ellis yielded to question by Ms. Cole.

Ms. Cole: "On page 2, line 34 would you define what a 'personal belief' is?"

Mr. Ellis: "I'll attempt to do so. I will have to relate to the background of religious beliefs to do so. The background in the area of conscientious objectors who did not have to sign up for service if they had a religious belief—that used to be a belief in God, but the cases have come along now to say that all you have to have is a sincere belief—a conviction sincerely held. So the personal belief here would be that either along religious lines or a personal belief like some of the home teachers have who aren't certificated teachers, that they can do a better job at home, and they are willing to undertake the duties to do so. It would have to be clear; it would have to be a personal belief sincerely held."

Ms. Cole: "There are some churches that really believe in segregation and that is a personal belief. Would that apply in this area?"

Mr. Ellis: "Certainly, it would apply. With what's going on in Congress and the Supreme Court case that's pending right now, those schools would not be entitled to a tax exemption, but there's no question in this country that if they want to have a school and teach racial segregation they can do so, but they are not going to get any tax exemption. By the way, I've got to say in passing, the American Civil Liberty Union supports this bill and the amendment."

Ms. Cole: "On page 3, line 12, what do you mean or how do you interpret it when it says, 'home or other school?'"

Mr. Ellis: "It's my understanding that that is to cover both the home situation, which is very clear, or a church school or a private school that doesn't meet the approval process. Apart from this bill, any group of students called together, either in church or wherever it might be, also would have to comply with fire and safety standards, and all of the zoning codes."

Ms. Cole: "Would there be any kind of qualifications required in terms of the person who is teaching the children in these other schools?"

Mr. Ellis: "There is no requirement in this statute—this is the compulsory attendance statute—on qualification of personnel, but duties that the parent undertakes here is to have the basic course of education, which is the same basic course as in approved schools, to teach regular hours, to have regular testing and the other provisions. Let me tell you once again, and I am answering your question directly, I know the WEA is very interested in certificated teachers. Our Supreme Court, on February 4 issued the opinion, and in the course of that opinion, a plurality of the judges—four of the judges—said, this is a quote, and I am summarizing it for brevity—they stated it was true the state does not have to put up with totally unqualified teachers in any of the contexts of teaching, but neither can the state require that teachers have the same qualifications as public school teachers. They quoted the Vermont case and there are

three cases saying that. So, if the WEA wants a certificated process for these schools, they can implement that. They came out with one section, poorly written, and attempted to hang it onto this bill. I'll help them draft a right one, but they have to do it separately. New Mexico had an accreditation process for private schools and qualification of teachers in private schools; they ran it for about two years and cut it off entirely because it was too much burden on the state to administer. You cannot impose that kind of participation on these teachers."

Representatives Cole, Galloway and Valle spoke against passage of the bill, and Representatives Padden, Sprague and Van Dyken spoke in favor of it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Erak.

Mr. Erak: "Under the definition of private school, if somebody wishes to teach their children or have them taught in their home, how is this defined? Do they have to basically go through and put in the exits and the crash bars on the exit doors, and this kind of thing, to qualify for private school?"

Mr. Ellis: "Representative Erak, my understanding is that if they would go beyond their own child and invite other students in, then they will have to comply with fire and safety standards, yes. That's what the case is about that came out February 4. They tried to lay the regular fire and safety regulations onto the private schools and the Supreme Court said you can't do that. You can have fire and safety regulations, but address the matter reasonably. It was found absolutely safe for 250 people on Sunday under a fire inspection at a certain church, and one week later they said it wasn't safe for 35 students on Monday. The Supreme Court said you can't do that to them."

Mr. Erak spoke against passage of the bill, and Mr. Ellis closed debate, speaking again in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 996, and the bill failed to pass the House by the following vote: Yeas, 37; nays, 59; not voting, 2.

Voting yea: Representatives Barnes, Barr, Becker, Bond, Cantu, Clayton, Eberle, Ehlers, Ellis, Fancher, Flanagan, Gallagher, Greengo, Hastings, Hine, Houchen, James, Johnson, Leonard, Martinis, McCormick, McDonald, Nelson G. A., Nickell, Nisbet, North, Padden, Patrick, Sanders, Smith, Sprague, Stratton, Taylor, Van Dyken, Vander Stoep, Warnke, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Dickie, Eng, Erak, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Isaacson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McGinnis, Mitchell, Monohon, Nelson D., Owen, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Fiske, O'Brien.

Engrossed Substitute House Bill No. 996, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1127, by Committee on Labor and Economic Development (originally sponsored by Committee on Labor and Economic Development and Representative Sanders):

Modifying provisions relating to industrial insurance.

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

Mr. Sanders spoke in favor of passage of the bill, and Mr. Lux spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1127, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Greengo, Hankins, Hastings, Isaacson, James, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Houchen, Johnson, Kaiser,

King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley.

Not voting: Representatives Berleen, Fiske.

Engrossed Substitute House Bill No. 1127, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Sanders, having voted on the prevailing side, served notice the he would, on the next working day move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1127 failed to pass the House.

ENGROSSED HOUSE BILL NO. 1178, by Committee on Local Government and Representative Isaacson:

Restricting the use of electrical inspection fees of cities and towns.

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

Ms. Hine spoke against passage of the bill, and Mr. Isaacson spoke in favor of it.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Ms. Brekke.

Mr. Brekke: "Representative Isaacson, I believe I heard you say that person after person came before the committee. I notice in the bill report on this that it says no one testified in support?"

Mr. Isaacson: "I think, Representative Brekke, you did not listen to what I was saying. I said the measure was passed in the House last year and we had testimony at that time. We had a hearing on it at which time we had other people testify again. That report is not written up in the bill report, but it will be made available to you if you would like to have that information."

Representatives Brekke and Armstrong spoke against passage of the bill.

Mr. James spoke in favor of the bill, and Ms. Hine again opposed it.

Mr. Hastings demanded the previous question and the demand was sustained.

Mr. Isaacson closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1178, and the bill failed to pass the House by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Amen, Barnes, Berleen, Bickham, Bond, Cantu, Chandler, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Gallagher, Greengo, Houchen, Isaacson, James, Leonard, Lewis, Lundquist, McGinnis, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tupper, Van Dyken, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Chamberlain, Clayton, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Teutsch, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley.

Not voting: Representatives Barrett, Fiske, Thompson, Tilly.

Engrossed House Bill No. 1178, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Hastings, having voted on the prevailing side, served notice the he would, on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 1178 failed to pass the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by Committee on Labor and Economic Development (originally sponsored by Representatives Nelson (G), Martinis, Struthers, Scott, Monohon, Hastings and Owen):

Implementing law relating to the control of gambling.

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

Representatives Nelson (G), Struthers, Monohon and Barrett spoke in favor of passage of the bill, and Representatives Kreidler, Greengo, Patrick and McDonald spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

Mr. Nelson (G), closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1102, and the bill passed the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Armstrong, Barr, Barrett, Bender, Bickham, Bond, Brown, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Flanagan, Gallagher, Garrett, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Prince, Rosbach, Rust, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Teutsch, Thompson, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barnes, Berleen, Brekke, Burns, Cantu, Chandler, Cole, Ellis, Eng, Galloway, Garson, Granlund, Greengo, Johnson, Kreidler, Lundquist, McDonald, North, Patrick, Pruitt, Rinehart, Salatino, Sherman, Sommers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams.

Not voting: Representatives Becker, Fiske.

Engrossed Substitute House Bill No. 1102, having received the sixty percent constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 915, by Committee on Transportation and Representatives Ellis, Wilson and Johnson:

Exempting used cars sold by a dealer from emission control testing.

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

Representatives Wilson, Valle and Martinis spoke in favor of passage of the bill, and Mr. Nelson (D) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 915, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brekke, Cole, Erak, Garrett, Lux, Nelson D., Salatino.

Not voting: Representatives Addison, Fiske.

Engrossed House Bill No. 915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NOTICE OF RECONSIDERATION

Mr. Wang, having voted on the prevailing side, served notice the he would, on the next working day move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1102 failed to pass the House.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1015 with the following amendments:

On page 1, line 18 after "Sec. 2." strike everything through "corporation" on line 20 and insert the following: "The governor is authorized to form a public nonprofit corporation in the same manner as a private nonprofit corporation is formed under chapter 24.03 RCW. The public corporation shall be an instrumentality of the state and have all the powers and be subject to the same restrictions as are permitted or

prescribed to private nonprofit corporations, but shall exercise those powers only for carrying out the purposes of this act and those purposes necessarily implied therefrom. The governor shall appoint a board of nine directors for the corporation who shall serve terms of six years, except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The directors may provide for the payment of their expenses"

On page 2, beginning on line 26 after "general" strike all material down to and including "bond retirement" on line 27

On page 4, line 11 after "may" insert "increase the rate of tax imposed in section 9(1) and 9(2) or may"

On page 5, line 8 after "account." insert "Chapter 82.32 RCW applies to the tax imposed under this section."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendments to Substitute House Bill No. 1015.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1015 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1015 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 75; nays, 17; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Brown, Clayton, Dickie, Ehlers, Flanagan, Heck, King J., Lundquist, McGinnis, Padden, Salatino, Smith, Taylor, Vander Stoep, Walk, Wilson.

Not voting: Representatives Dawson, Fiske, Houchen, Monohon, Rinehart, Sprague.

Substitute House Bill No. 1015 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Representative McGinnis changes his "Nay to "Yea" on Substitute House Bill No. 1015 as amended by the Senate.

MICHAEL R. MCGINNIS, 6th District.

STATEMENT FOR THE JOURNAL

I wish the record to show that I wanted to vote "Yes" on Substitute House Bill No. 1015.

WALT SPRAGUE, 21st District.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 70 with the following amendments:

On page 1, line 11 strike "1981" and insert "1982"

On page 1, line 14 after "fisheries." insert "Such funds shall be subject to appropriation by the legislature."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rosbach, the House concurred in the Senate amendments to Substitute House Bill No. 70.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 70 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 70 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Rinehart.

Substitute House Bill No. 70 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 131 with the following amendments:

On page 4, line 3 after "materials, or" and before "payment bonds" insert "bank letters of credit."

On page 4, line 3 after "payment bonds" insert "1."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rosbach, the House concurred in the Senate amendments to House Bill No. 131.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 131 as amended by the Senate.

ROLL CALL

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

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

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

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 135 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. Section 11 (part), chapter 184, Laws of 1923 [RRS § 5813-1] and RCW 76.04.397 are each repealed."

On page 1, line 1 of the title after "protection;" strike the remainder of the title and insert "and repealing section 11 (Part), chapter 184, Laws of 1923 [RRS § 5813-1] and RCW 76.04.397." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rosbach, the House concurred in the Senate amendments to Substitute House Bill No. 135.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 135 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 135 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

Substitute House Bill No. 135 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 357 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 241, Laws of 1963 as amended by section 1, chapter 54, Laws of 1973 and RCW 40.10.010 are each amended to read as follows:

In order to provide for the continuity and preservation of civil government, each elected and appointed officer of the state shall designate those public documents which are essential records of his office and needed in an emergency and for the reestablishment of normal operations after any such emergency. A list of such records shall be forwarded to the state archivist (~~and director of the department of emergency services~~) on forms prescribed by the state archivist. This list shall be reviewed at least annually by the elected or appointed officer to insure its completeness. Any changes or revisions following this review shall be forwarded to the state archivist (~~and the director of the department of emergency services~~). Each such elected and appointed officer of state government shall insure that the security of essential records of his office is by the most economical means commensurate with adequate protection. Protection of essential records may be by vaulting, planned or natural dispersal of copies, or any other method approved by the state archivist (~~and the director of the department of emergency services~~). Reproductions of essential records may be by photo copy, magnetic tape, microfilm or other method approved by the state archivist. Local government offices may coordinate the protection of their essential records with the state archivist (~~and director of the department of emergency services~~) as necessary to provide continuity of local government under emergency conditions.

Sec. 2. Section 2, chapter 241, Laws of 1963 as amended by section 2, chapter 54, Laws of 1973 and RCW 40.10.020 are each amended to read as follows:

The state archivist is authorized to reproduce those documents designated as essential records by the several elected and appointed officials of the state and local government by microfilm or other miniature photographic process and to assist and cooperate in the storage and safeguarding of such reproductions in such place as is recommended by the (~~director of the department of emergency services~~) state archivist with the advice of the director of the department of emergency services. The state archivist shall coordinate the essential records protection program and shall carry out the provisions of the state emergency plan as they relate to the preservation of essential records. The state archivist is authorized to charge the several

departments of the state and local government the actual cost incurred in reproducing, storing and safeguarding such documents: PROVIDED, That nothing herein shall authorize the destruction of the originals of such documents after reproduction thereof.

Sec. 3. Section 1, chapter 246, Laws of 1957 as last amended by section 4, chapter 32, Laws of 1981 and RCW 40.14.010 are each amended to read as follows:

As used in this chapter, the term 'public records' shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine-readable material, or other document, regardless of physical form or characteristics, and including such copies thereof, that have been made by or received by any agency of the state of Washington in connection with the transaction of public business, and legislative records as described in RCW 40.14.100.

For the purposes of this chapter, public records shall be classified as follows:

(1) Official public records shall include all original vouchers, receipts, and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use, and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety, and performance bonds; all claims filed against the state of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the state of Washington; all legislative records as defined in RCW 40.14.100; and all other documents or records determined by the records committee, created in RCW 40.14.050, to be official public records.

(2) Office files and memoranda include such records(;) as correspondence, exhibits, drawings, maps, completed forms, or documents not above defined and classified as official public records; duplicate copies of official public records filed with any agency of the state of Washington; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and other documents or records as determined by the records committee to be office files and memoranda.

Sec. 4. Section 4, chapter 246, Laws of 1957 as last amended by section 51, chapter 151, Laws of 1979 and RCW 40.14.040 are each amended to read as follows:

Each department or other agency of the state government shall designate a records officer to supervise its records program and to represent the office in all contacts with the records committee, hereinafter created, and the division of archives and records management. The records officer shall:

(1) Coordinate all aspects of the records management program.

(2) Inventory, or manage the inventory, of all public records at least once during a biennium for disposition scheduling and transfer action, in accordance with procedures prescribed by the state archivist and state records committee: PROVIDED, That essential records shall be inventoried and processed in accordance with chapter 40.10 RCW at least annually.

(3) Consult with any other personnel responsible for maintenance of specific records within his state organization regarding records retention and transfer recommendations.

(4) Analyze records inventory data, examine and compare divisional or unit inventories for duplication of records, and recommend to the state archivist and state records committee minimal retentions for all copies commensurate with legal, financial and administrative needs.

(5) Approve all records inventory and destruction requests which are submitted to the state records committee.

(6) Review established records retention schedules at least annually to insure that they are complete and current.

(7) Exercise internal control over the acquisition of filming and file equipment.

~~((8) Report annually all savings resulting from records disposition actions to his management, the state archivist and the office of financial management.))~~

If a particular agency or department does not wish to transfer records at a time previously scheduled therefor, the records officer shall, within thirty days, notify the archivist and request a change in such previously set schedule, including his reasons therefor.

Sec. 5. Section 6, chapter 246, Laws of 1957 as last amended by section 52, chapter 151, Laws of 1979 and RCW 40.14.060 are each amended to read as follows:

~~((Official public records shall not be destroyed until they are either photographed, microphotographed, photostated, or reproduced on film, or until they are seven years old, except on a showing of the department of origin, as approved by the records committee, that the retention of such records for a minimum of seven years is both unnecessary and uneconomical, particularly where lesser federal retention periods for records generated by the state under federal programs are involved. PROVIDED, That)) (1) Any destruction of official public records shall be pursuant to a schedule approved under RCW 40.14.050. Official public records shall not be destroyed unless:~~

~~(a) The records are six or more years old;~~

~~(b) The department of origin of the records has made a satisfactory showing to the state records committee that the retention of the records for a minimum of six years is both unnecessary and uneconomical, particularly if lesser federal retention periods for records generated by the state under federal programs have been established; or~~

~~(c) The originals of official public records less than six years old have been copied or reproduced by any photographic or other process approved by the state archivist which accurately reproduces or forms a durable medium for so reproducing the original.~~

(2) Any lesser term of retention than ~~((seven))~~ six years must have the additional approval of the director of financial management, the state auditor and the attorney general, except ~~((where))~~ when records have federal retention guidelines the state records committee may adjust the retention period accordingly ~~((: PROVIDED, FURTHER, That))~~. An automatic reduction of retention periods from ~~((ten-to))~~ seven to six years ~~((as provided for in this 1973 amendatory section))~~ for official public records on record retention schedules existing on the effective date of this 1982 act shall not be made ~~((as to records on existing record retention schedules))~~, but the same shall be reviewed individually by the state records committee for approval or disapproval of the change to a retention period of ~~((seven))~~ six years.

Recommendations for the destruction or disposition of office files and memoranda shall be submitted to the records committee upon approved forms prepared by the records officer of the agency concerned and the archivist. The committee shall determine the period of time that any office file or memorandum shall be preserved and may authorize the division of archives and records management to arrange for its destruction or disposition.

Sec. 6. Section 7, chapter 246, Laws of 1957 as last amended by section 5, chapter 54, Laws of 1973 and RCW 40.14.070 are each amended to read as follows:

County, municipal, and other local government agencies may request authority to destroy noncurrent public records having no further administrative or legal value by submitting to the division of archives and records management ~~((:))~~ lists of such records ~~((-in triplicate,))~~ on forms prepared by the division. The archivist and the chief examiner of the division of municipal corporations of the office of the state auditor and a representative appointed by the attorney general shall constitute a committee ~~((to be))~~, known as the local records committee, which shall review such lists ~~((:))~~ and which may veto the destruction of any or all items contained therein.

A local government agency, as an alternative to submitting lists, may elect to establish a records control program based on recurring disposition schedules recommended by the agency to the local records committee. The schedules are to be submitted on forms provided by the division of archives and records management to the local records committee, which may either veto, approve, or amend the schedule. Approval of such schedule or amended schedule shall be by unanimous vote of the local records committee. Upon such approval, the schedule shall constitute authority for the local government agency to destroy the records listed thereon, after the required retention period, on a recurring basis until the schedule is either amended or revised by the committee.

~~((No public record other than office files and memoranda of any local government agency shall be destroyed until it is either photographed, microphotographed, photostated, or reproduced on film, or until it is seven years old, and))~~ Except as otherwise provided by law, no public records shall be destroyed until approved for destruction by the local records committee ~~((: PROVIDED, That where records have federal retention guidelines the local records committee may adjust the retention period accordingly. PROVIDED FURTHER, That))~~. Official public records shall not be destroyed unless:

(1) The records are six or more years old;

(2) The department of origin of the records has made a satisfactory showing to the state records committee that the retention of the records for a minimum of six years is both unnecessary and uneconomical, particularly where lesser federal retention periods for records generated by the state under federal programs have been established; or

(3) The originals of official public records less than six years old have been copied or reproduced by any photographic, photostatic, microfilm, miniature photographic, or other process approved by the state archivist which accurately reproduces or forms a durable medium for so reproducing the original.

An automatic reduction of retention periods from ~~((ten-to))~~ seven to six years ~~((as provided for in this 1973 amendatory section))~~ for official public records on record retention schedules existing on the effective date of this 1982 act shall not be made ~~((as to records on existing record retention schedules))~~, but the same shall be reviewed individually by the local records committee for approval or disapproval of the change to a retention period of ~~((seven))~~ six years.

The state archivist may furnish appropriate information, suggestions, and guidelines to local government agencies for their assistance in the preparation of lists and schedules or any other matter relating to the retention, preservation, or destruction of records under this chapter. The local records committee may adopt appropriate regulations establishing procedures to be followed in such matters.

Records of county, municipal, or other local government agencies, designated by the archivist as of primarily historical interest, may be transferred to a recognized depository agency ~~((selected by the archivist, in order to relieve local offices of the burden of housing them, to insure their preservation, and to make them available for reference or study)).~~*

On page 1, line 2 of the title, after "records;" strike the remainder of the title and insert "amending section 1, chapter 241, Laws of 1963 as amended by section 1, chapter 54, Laws of 1973 and RCW 40.10.010; amending section 2, chapter 241, Laws of 1963 as amended by section 2, chapter 54, Laws of 1973 and RCW 40.10.020; amending section 1, chapter 246, Laws of 1957 as last amended by section 4, chapter 32, Laws of 1981 and RCW 40.14.010; amending section 4, chapter 246, Laws of 1957 as last amended by section 51, chapter 151, Laws of 1979 and RCW 40.14.040; amending section 6, chapter 246, Laws of 1957 as last amended by section 52, chapter 151, Laws of 1979 and RCW 40.14.060; and amending section 7, chapter 246, Laws of 1957 as last amended by section 5, chapter 54, Laws of 1973 and RCW 40.14.070." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendments to House Bill No. 357.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 357 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 357 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

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

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 454 with the following amendments:

On page 1, beginning on line 8 strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. The purpose of rehabilitation in workers' compensation is to return the injured worker to suitable gainful employment as soon as possible. The policy of the state is to provide early notification and referral of qualified injured workers to vocational rehabilitation services, development of comprehensive rehabilitation plans, and independent review and evaluation of service delivery. This policy shall be implemented with the express intent of assisting the qualified injured worker while avoiding expensive litigation and unnecessary time lost from work.

NEW SECTION. Sec. 2. For purposes of this chapter, a 'qualified injured worker' means an employee who because of the effects of work-related injury or disease, whether or not combined with the effects of a prior industrial injury or disability:

(1) Is permanently precluded or likely to be precluded from engaging in the usual occupation or position in which the worker was engaged at the time of injury; and

(2) Can reasonably be expected to benefit from rehabilitation services which would significantly reduce or eliminate the decrease in the worker's employability.

NEW SECTION. Sec. 3. There is created an office of rehabilitation review within the industrial insurance division of the department of labor and industries. The office shall:

(1) Establish specific definitions, eligibility criteria, and timetables and procedures for the provision of vocational rehabilitation services;

(2) Mediate disputes;

(3) Review and approve or disapprove vocational rehabilitation plans; and

(4) Establish procedures for registration of rehabilitation counselors employed by the state, public, or private agencies and establish criteria and procedures for removal of registered rehabilitation counselors from the list for failure to comply with this chapter or the rules and regulations established by the department.

NEW SECTION. Sec. 4. The department of labor and industries shall have the authority to make, amend, and rescind in the manner prescribed by chapter 34.04 RCW such rules as may be necessary to carry out this chapter.

NEW SECTION. Sec. 5. (1) The vocational rehabilitation plan may include modification of the worker's occupation at the time of injury, provisions for alternative work with the same employer, modification of the worker's previous employment with a new employer, direct job placement assistance, on-the-job training, or short-term retraining subject to limitation by RCW 51.32.095. The plan shall define the responsibilities of the worker, employer, and other parties in implementing the plan.

(2) The following order of priorities is preferred in determining suitable gainful employment and developing vocational rehabilitation plans:

(a) Return to the previous job with the same employer;

(b) Modification of the previous job with the same employer including transitional return to work;

- (c) A new job with the same employer in keeping with any limitations or restrictions;
- (d) Modification of the previous job with a new employer;
- (e) A new job with a new employer or self-employment based upon transferable skills;
- (f) A new job with a new employer or self-employment involving on-the-job training;
- (g) Short-term retraining and job placement.

Prior to any modification of the order of these priorities, the plan shall first be submitted in writing to the office of rehabilitation review for authorization. In the cases involving return to the previous job with the same employer, modification of the previous job with the same employer, or a new job with the same employer, self-insurers shall submit a written, summary report to the office of vocational rehabilitation review but shall not be required to submit a complete, documented vocational rehabilitation plan.

NEW SECTION. Sec. 6. (1) If a determination of ineligibility is unacceptable to a worker or employer, or if a vocational rehabilitation plan is unacceptable to a worker or employer, the worker or employer may petition the supervisor of industrial insurance to review the decision. The supervisor, or the supervisor's designee, shall render a final decision within thirty days of receipt of the petition for review.

(2) The worker or employer may appeal a final decision of the supervisor, or the supervisor's designee, to the board of industrial insurance appeals for an expedited appeal which shall be heard as provided in this section. Board review of such decisions shall be limited to matters of law. A final decision rendered within thirty days of the closing of the hearing proceeding, and the procedures relating to recommended decisions and orders, and petitions for review of same, as contained in RCW 51.52.104 and 51.52.106, shall not be applicable to appeals filed under this section. Further appeals taken from the final decision of the board shall be governed by the provisions relating to judicial review of administrative decisions contained in RCW 34.04.130 and 34.04.140 as now existing or hereafter amended. The department shall have the same right of review of the board's decision as does any other aggrieved party.

(3) For purposes of this section, 'expedited appeal' means an appeal filed with the board within fifteen working days after receipt of notice of the decision from the office of rehabilitation review. An expedited appeal shall be heard within thirty calendar days following receipt of (a) the notice of appeal from an aggrieved party, or (b) a legible copy of the records of the office of rehabilitation review, whichever is later. The hearing held under this section shall be recorded and shall be confined to review of the records of the office of rehabilitation review. However, in cases of alleged irregularities in procedure not revealed by the records, testimony concerning such irregularities may be received by the board. The board shall in addition have authority, upon request by the worker or the employer, to hear oral argument and receive written information concerning the matter in dispute.

(4) The board of industrial insurance appeals shall have the authority to make, amend, and rescind in a manner prescribed by chapter 34.04 RCW such rules as may be necessary to carry out this section.

NEW SECTION. Sec. 7. On or before January 1st of each year, the office of financial management shall submit to the legislature a rehabilitation performance audit of the activities of the office of rehabilitation review, the industrial insurance division, self-insurers, and private rehabilitation agencies. The performance audit shall include a statistical summary of all rehabilitation cases, a cost-benefit analysis of vocational rehabilitation plans, return-to-work data, and a comparison of public and private vocational rehabilitation services. The office of financial management may contract with a private firm to conduct the performance audit.

NEW SECTION. Sec. 8. Qualified injured workers shall participate in the approved vocational rehabilitation plan. For each week that a qualified injured worker does not participate without a showing of good cause, benefits shall be reduced by one-half on the order of the supervisor. Implementation of the plan shall begin as soon as the qualified injured worker is capable of participation.

NEW SECTION. Sec. 9. A qualified injured worker shall be entitled to continuation of temporary total disability benefits as defined in RCW 51.32.090:

- (1) During rehabilitation; and

(2) During the pendency of any petition for review to the supervisor or appeal to the board of industrial insurance appeals.

NEW SECTION. Sec. 10. Except as otherwise expressly provided in this chapter, nothing in this chapter may be construed to annul or modify any lawful employment agreement entered into before the effective date of this act between an employer and an organization of workers. If a conflict exists between an employment agreement and any resolution, rule, policy, or regulation adopted under this chapter, the terms of the employment agreement shall prevail only if the employment agreement was entered into before the effective date of this act.

Sec. 11. Section 10, chapter 14, Laws of 1980 and RCW 51.32.095 are each amended to read as follows:

One of the primary purposes of this title is the restoration of the injured worker to gainful employment. To this end, the department shall utilize the services of individuals and organizations, public or private, whose experience, training, and interests in vocational rehabilitation and retraining qualify them to lend expert assistance to the supervisor of industrial insurance in such programs of vocational rehabilitation ((or)), retraining, and job placement as may be reasonable to qualify the worker for employment consistent with his or her physical and mental status. Where, after evaluation and recommendation by such individuals or organizations and prior to final evaluation of the worker's permanent disability and in the sole opinion of the supervisor or supervisor's designee, whether or not medical treatment has been concluded, vocational rehabilitation or retraining with job placement is both necessary and likely to restore the injured worker to a form of gainful employment, including self-employment, the supervisor or supervisor's designee may, in his

or her sole discretion, pay or, if the employer is a self-insurer, direct the self-insurer to pay the cost of books, tuition, fees, supplies, equipment, ~~(and)~~ transportation, child or dependent care, and other necessary expenses for any such worker in an amount not to exceed ~~((one))~~ three thousand ((five-hundred)) dollars in any ~~((calendar-year))~~ fifty-two week period, and continue the temporary total disability compensation under RCW 51.32.090 while the worker is actively and successfully undergoing a formal program of vocational rehabilitation or retraining with job placement. Such expenses may include training fees for on-the-job training and the cost of furnishing tools and other equipment necessary for self-employment or reemployment: PROVIDED, That such compensation or payment of ((such vocational rehabilitation or)) retraining with job placement expenses may not be authorized for a period of more than fifty-two weeks: PROVIDED FURTHER, That such period may, in the sole discretion of the supervisor after his or her review, be extended for an additional fifty-two weeks or portion thereof by written order of the supervisor.

In cases where the worker is required to reside away from his or her customary residence, the reasonable cost of board and lodging shall also be paid. Said costs shall be chargeable to the employer's cost experience or shall be paid by the self-insurer as the case may be.

Sec. 12. Section 51.36.020, chapter 23, Laws of 1961 as last amended by section 57, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.020 are each amended to read as follows:

(1) When the injury to any worker is so serious as to require his or her being taken from the place of injury to a place of treatment, his or her employer shall, at the expense of the medical aid fund, or self-insurer, as the case may be, furnish transportation to the nearest place of proper treatment.

(2) Every worker whose injury results in the loss of one or more limbs or eyes shall be provided with proper artificial substitutes and every worker, who suffers an injury to an eye producing an error of refraction, shall be once provided proper and properly equipped lenses to correct such error of refraction and his or her disability rating shall be based upon the loss of sight before correction.

(3) Every worker(;) whose accident results in damage to or destruction of an artificial limb, eye, or tooth, shall have same repaired or replaced.

(4) Every worker whose hearing aid or eyeglasses or lenses are damaged, destroyed, or lost as a result of an industrial accident shall have the same restored or replaced. The department or self-insurer shall be liable only for the cost of restoring damaged hearing aids or eyeglasses to their condition at the time of the accident.

(5) All mechanical appliances necessary in the treatment of an injured worker, such as braces, belts, casts, and crutches, shall be provided and all mechanical appliances required as permanent equipment after treatment has been completed shall continue to be provided or replaced without regard to the date of injury or date treatment was completed, notwithstanding any other provision of law.

(6) A worker, whose injury is of such short duration as to bring him or her within the time limit provisions of RCW 51.32.090, shall nevertheless receive during the omitted period medical, surgical, and hospital care and service and transportation under the provisions of this chapter.

(7) Whenever in the sole discretion of the supervisor it is reasonable and necessary to provide residence modifications necessary to meet the needs and requirements of the worker who has sustained catastrophic injury, the department or self-insurer may be ordered to pay an amount not to exceed the state's average annual wage for one year as determined under RCW 50.04.355, as now existing or hereafter amended, toward the cost of such modifications or construction. Such payment shall only be made for the construction or modification of a residence in which the injured worker resides. Only one residence of any worker may be modified or constructed under this subsection, although the supervisor may order more than one payment for any one home, up to the maximum amount permitted by this section.

(8) Whenever in the sole discretion of the supervisor it is reasonable and necessary to modify a motor vehicle owned by a worker who has become an amputee or becomes paralyzed because of an industrial injury, the supervisor may order up to fifty percent of the state's average annual wage for one year, as determined under RCW 50.04.355, as now existing or hereafter amended, to be paid by the department or self-insurer toward the costs thereof.

(9) The benefits provided by subsections (7) and (8) of this section are available to any otherwise eligible worker regardless of the date of industrial injury.

NEW SECTION. Sec. 13. There is added to chapter 51.32 RCW a new section to read as follows:

Modification of the injured worker's previous job is recognized as a desirable method of returning the injured worker to suitable gainful employment. In order to assist employers in meeting the costs of job modification, and to encourage employers to modify jobs to accommodate retaining or hiring workers with disabilities resulting from work-related injury, the supervisor in his or her discretion may pay job modification costs in an amount not to exceed five thousand dollars per worker per job modification. This payment is intended to be a cooperative participation with the employer and funds shall be taken from the appropriate account within the second injury fund.

Sec. 14. Section 51.44.040, chapter 23, Laws of 1961 as last amended by section 21, chapter 323, Laws of 1977 ex. sess. and RCW 51.44.040 are each amended to read as follows:

(1) There shall be in the office of the state treasurer, a fund to be known and designated as the 'second injury fund', which shall be used only for the purpose of defraying charges against it as provided in RCW 51.16.120 and section 13 of this 1982 act, as now or hereafter amended. Said fund shall be administered by the director. The state treasurer shall be the custodian of the second injury fund and shall be authorized to disburse moneys from it only upon written order of the director.

(2) Payments to the second injury fund from the accident fund shall be made pursuant to rules and regulations promulgated by the director.

(3) Assessments for the second injury fund shall be imposed on self-insurers pursuant to rules and regulations promulgated by the director to ensure that self-insurers shall pay to such fund in the proportion that the payments made from such fund on account of claims made against self-insurers bears to the total sum of payments from such fund.

Sec. 15. Section 51.12.020, chapter 23, Laws of 1961 as last amended by section 3, chapter 128, Laws of 1981 and RCW 51.12.020 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer (~~which does not exceed ten consecutive work days~~).

(3) A person whose (~~work is casual and the~~) employment is not in the course of the trade, business, or profession of his or her employer and is not in or about the private home of the employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors or partners: PROVIDED, That after July 26, 1981, sole proprietors or partners who for the first time register under chapter 18.27 RCW or become licensed for the first time under chapter 19.28 RCW shall be included under the mandatory coverage provisions of this title subject to the provisions of RCW 51.32.030. These persons may elect to withdraw from coverage under RCW 51.12.115.

(6) Any employee, not regularly and continuously employed by the employer in agricultural labor, whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars. Employees not regularly and continuously employed in agricultural labor by any one employer but who are employed in agricultural labor on a seasonal basis shall come under the coverage of this title only when their cash remuneration paid or due in that calendar year exceeds one hundred fifty dollars but only as of the occurrence of that event and only as to their work for that employer.

(7) Any child under eighteen years of age employed by his parent or parents in agricultural activities on the family farm.

(8) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(9) Any executive officer elected and empowered in accordance with the articles of incorporation or bylaws of a corporation who at all times during the period involved is also a director and shareholder of the corporation. Any officer who was considered by the department to be covered on and after June 30, 1977, shall continue to be covered until such time as the officer voluntarily elects to withdraw from coverage in the manner provided by RCW 51.12.110. However, any corporation may elect to cover such officers who are in fact employees of the corporation in the manner provided by RCW 51.12.110.

Sec. 16. Section 51.12.090, chapter 23, Laws of 1961 as last amended by section 20, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.090 are each amended to read as follows:

(1) The provisions of this title shall apply to employers and workers (other than railways and their workers) engaged in intrastate and also in interstate or foreign commerce, for whom a rule of liability or method of compensation now exists under or may hereafter be established by the congress of the United States, only to the extent that the payroll of such workers may and shall be clearly separable and distinguishable from the payroll of workers engaged in interstate or foreign commerce: PROVIDED, That, except as provided under subsection (2) of this section, as to workers whose payroll is not so clearly separable and distinguishable the employer shall in all cases be liable in damages for injuries to the same extent and under the same circumstances as is specified in the case of railroads in the first proviso of RCW 51.12.080: PROVIDED FURTHER, That nothing in this title shall be construed to exclude goods or materials and/or workers brought into this state for the purpose of engaging in work.

(2) Common carrier employers engaged in intrastate commerce and also interstate or foreign commerce may exempt themselves from being liable for damages under this title as provided under subsection (1) of this section so long as at the time of such injury:

(a) The employer is domiciled in this state;

(b) The injured person is a worker as defined under this title;

(c) The employer has secured payment of compensation; and

(d) The employer has made election to cover all such persons in the manner provided by RCW

51.12.110.

Sec. 17. Section 6, chapter 14, Laws of 1980 and RCW 51.12.110 are each amended to read as follows:

Any employer who has in his or her employment any (~~exempt~~) person or persons excluded from mandatory coverage pursuant to RCW 51.12.020 (1), (2), (3), (4), (6), (7), (8), or (9) may file notice in writing with the director, on such forms as the department may provide, of his or her election to (~~be~~) make such persons otherwise excluded subject to this title(-and). The employer shall forthwith display in a conspicuous manner about his or her works, and in a sufficient number of places to reasonably inform his or her workers of the fact, printed notices furnished by the department stating that he or she has so elected. Said election shall become effective upon the filing of said notice in writing. (~~Any worker in the employ of such applicant shall be entitled at any time within five days after the posting of said notice by his or her employer, or within five days after he or she has been employed by an employer who has elected to become subject to this title as herein provided, to give a written notice to such employer and to the department of his or her election not to become subject to this title.))~~ The employer and (~~such of~~) his or her workers (~~as shall not~~

have given such written notice of their election to the contrary)) shall be subject to all the provisions of this title and entitled to all of the benefits thereof: PROVIDED, That those who have heretofore complied with the foregoing conditions and are carried and considered by the department as within the purview of this title shall be deemed and considered as having fully complied with its terms and shall be continued by the department as entitled to all of the benefits and subject to all of the liabilities without other or further action. Any employer who has complied with this section may withdraw his or her acceptance of liability under this title by filing written notice with the director of the withdrawal of his or her acceptance. Such withdrawal shall become effective thirty days after the filing of such notice or on the date of the termination of the security for payment of compensation, whichever last occurs. The employer shall, at least thirty days before the effective date of the withdrawal, post reasonable notice of such withdrawal where the affected worker or workers work and shall otherwise notify personally the affected workers. Withdrawal of acceptance of this title shall not affect the liability of the department or self-insurer for compensation for any injury occurring during the period of acceptance.

The department shall have the power to cancel the elective adoption coverage if any required payments or reports have not been made. Cancellation by the department shall be no later than thirty days from the date of notice in writing by the department advising of cancellation being made.

Sec. 18. Section 51.32.050, chapter 23, Laws of 1961 as last amended by section 42, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.050 are each amended to read as follows:

(1) Where death results from the injury the expenses of burial not to exceed ~~((one))~~ two thousand dollars shall be paid.

(2) (a) Where death results from the injury, a surviving spouse of a deceased worker eligible for benefits under this title shall receive monthly for life or until remarriage ~~((the following sums:-(a)))~~ payments according to the following schedule:

(i) If there are no children of the deceased worker, sixty percent of the wages of the deceased worker but not less than one hundred eighty-five dollars~~((-(b)))~~;

(ii) If there is one child of the deceased worker and in the legal custody of such spouse, sixty-two percent of the wages of the deceased worker but not less than two hundred twenty-two dollars~~((-(c)))~~;

(iii) If there are two children of the deceased worker and in the legal custody of such spouse, sixty-four percent of the wages of the deceased worker but not less than two hundred fifty-three dollars~~((-(d)))~~;

(iv) If there are three children of the deceased worker and in the legal custody of such spouse, sixty-six percent of the wages of the deceased worker but not less than two hundred seventy-six dollars~~((-(e)))~~;

(v) If there are four children of the deceased worker and in the legal custody of such spouse, sixty-eight percent of the wages of the deceased worker but not less than two hundred ninety-nine dollars~~((-(f)))~~; or

(vi) If there are five or more children of the deceased worker and in the legal custody of such spouse, seventy percent of the wages of the deceased worker but not less than three hundred twenty-two dollars. ~~((-(g)))~~

(b) Where the surviving spouse does not have legal custody of any child or children of the deceased worker or where after the death of the worker legal custody of such child or children passes from such surviving spouse to another, any payment on account of such child or children not in the legal custody of the surviving spouse shall be made to the person or persons having legal custody of such child or children. The amount of such payments shall be five percent of the ~~((wages of the deceased worker))~~ monthly benefits payable as a result of the worker's death for each such child but such payments shall not exceed twenty-five percent. Such payments on account of such child or children shall be subtracted from the amount to which such surviving spouse would have been entitled had such surviving spouse had legal custody of all of the children and the surviving spouse shall receive the remainder after such payments on account of such child or children have been subtracted. Such payments on account of a child or children not in the legal custody of such surviving spouse shall be apportioned equally among such children.

(c) Payments to the surviving spouse of the deceased worker shall cease at the end of the month in which remarriage occurs: PROVIDED, That the monthly payment made to the child or children of the deceased worker shall from the month following such remarriage be a sum equal to five percent of the wages of the deceased worker for one child and a sum equal to five percent for each additional child up to a maximum of five such children. Payments to such child or children shall be apportioned equally among such children. Such sum shall be in place of any payments theretofore made for the benefit of or on account of any such child or children.

(d) In no event shall the monthly payments provided in subsection (2) of this section exceed seventy-five percent of the average monthly wage in the state as computed under RCW 51.08.018.

(e) In addition to the monthly payments ~~((above))~~ provided for in (2)(a) through (2)(c) of this section, a surviving spouse or child or children of such worker if there is no surviving spouse, or dependent parent or parents, if there is no surviving spouse or child or children of any such deceased worker shall be forthwith paid the sum of ~~((eight))~~ one thousand six hundred dollars, any such children, or parents to share and share alike in said sum.

(f) Upon remarriage of a surviving spouse the monthly payments for the child or children shall continue as provided in this section, but the monthly payments to such surviving spouse shall cease at the end of the month during which remarriage occurs~~((and:))~~. However, after September 8, 1975, an otherwise eligible surviving spouse of a worker who died at any time prior to or after September 8, 1975, shall have an option of:

(i) ~~((He or she shall receive))~~ Receiving, once and for all, a lump sum of seventy-five hundred dollars or fifty percent of the then remaining annuity value of his or her pension, whichever is the lesser: PROVIDED, That if the injury occurred prior to July 1, 1971, the remarriage benefit lump sum available shall be as provided in the remarriage benefit schedules then in effect~~((:)); or~~

(ii) If a surviving spouse does not choose the option specified in ~~((subsection (2)(f)))~~ (2)(f)(i) of this section((:)) to accept the lump sum payment, the remarriage of the surviving spouse of a worker shall not bar him or her from ~~((exercising the option granted in subsection (2)(f)))~~ claiming the lump sum payment authorized in (2)(f)(i) of this section during the life of the remarriage (and), or shall not prevent subsequent monthly payments to him or to her if the remarriage has been terminated by death or has been dissolved or annulled by valid court decree provided he or she has not previously accepted the lump sum payment ((provided in this section: PROVIDED, HOWEVER, That)).

(g) If the surviving spouse during the remarriage should die without having previously received the lump sum payment provided ((herein)) in (2)(f)(i) of this section, his or her estate shall be entitled to receive the sum of seventy-five hundred dollars or fifty percent of the then remaining annuity value of his or her pension whichever is the lesser((-PROVIDED FURTHER, That if it should be necessary to increase the reserves in the reserve fund or to create a new pension reserve fund as a result of this 1976 amendatory act the amount of such increase in pension reserve in any such case shall be transferred to the reserve fund from the supplemental pension fund)).

(h) The effective date of ((an award)) resumption of payments under (2)(f)(ii) of this section to a surviving spouse based upon termination of a remarriage by death, annulment, or dissolution shall be the date of the death((:)) or the date the judicial decree of annulment or dissolution becomes final and when application for the payments has been received.

(i) If it should be necessary to increase the reserves in the reserve fund or to create a new pension reserve fund as a result of the amendments in chapter 45, Laws of 1975-'76 2nd ex. sess., the amount of such increase in pension reserve in any such case shall be transferred to the reserve fund from the supplemental pension fund.

(3) If there is a child or children and no surviving spouse of the deceased worker or the surviving spouse is not eligible for benefits under this title, a sum equal to thirty-five percent of the wages of the deceased worker shall be paid monthly for one child and a sum equivalent to fifteen percent of such wage shall be paid monthly for each additional child, the total of such sum to be divided among such children, share and share alike: PROVIDED, That benefits under this subsection or subsection (4) shall not exceed sixty-five percent of the wages of the deceased worker at the time of his or her death or seventy-five percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums.

(4) In the event a surviving spouse receiving monthly payments dies, the child or children of the deceased worker shall receive the same payment as provided in subsection (3) of this section.

(5) If the worker leaves no surviving spouse or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty percent of the average monthly support actually received by such dependent from the worker during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed sixty-five percent of the wages of the deceased worker at the time of the death or seventy-five percent of the average monthly wage in the state as defined in RCW 51.08.018, whichever is the lesser of the two sums. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years except such payments shall continue until the dependent reaches age twenty-three while permanently enrolled at a full time course in an accredited school. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

(6) If the injured worker dies during the period of permanent total disability, whatever the cause of death, leaving a surviving spouse, or child, or children, the surviving spouse or child or children shall receive benefits as if death resulted from the injury as provided in subsections (2) through (4) of this section. Upon remarriage or death of such surviving spouse the payments to such child or children shall be made as provided in subsection (2) of this section when the surviving spouse of a deceased worker remarries.

Sec. 19. Section 3, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 231, Laws of 1979 ex. sess. and RCW 51.32.220 are each amended to read as follows:

(1) For persons under the age of ~~((sixty-two))~~ sixty-five receiving compensation for temporary or permanent total disability pursuant to the provisions of chapter 51.32 RCW, such compensation shall be reduced by an amount equal to the benefits payable under the federal old-age, survivors and disability insurance act as now or hereafter amended not to exceed the amount of the reduction established pursuant to 42 USC 424a. However, such reduction shall not apply when the combined compensation provided pursuant to chapter 51.32 RCW and the federal old-age, survivors and disability insurance act is less than the total benefits to which the federal reduction would apply, pursuant to 42 USC 424a. Where any person described in this section refuses to authorize the release of information concerning the amount of benefits payable under said federal act the department's estimate of said amount shall be deemed to be correct unless and until the actual amount is established and no adjustment shall be made for any period of time covered by any such refusal.

(2) Any reduction under subsection (1) of this section shall be effective the month following the month in which the department or self-insurer is notified by the federal social security administration that the person is receiving disability benefits under the federal old-age, survivors and disability insurance act: PROVIDED, That in the event of an overpayment of benefits the department or self-insurer may not recover

more than the overpayments for the six months immediately preceding the date the department or self-insurer notifies the worker that an overpayment has occurred: PROVIDED FURTHER, That upon determining that there has been an overpayment, the department or self-insurer shall immediately notify the person who received the overpayment that he or she shall be required to make repayment pursuant to this section and RCW 51.32.230.

(3) Recovery of any overpayment must be taken from future temporary or permanent total disability benefits or permanent partial disability benefits provided by this title. In the case of temporary or permanent total disability benefits, the recovery shall not exceed twenty-five percent of the monthly amount due from the department or self-insurer or one-sixth of the total overpayment, whichever is the lesser.

(4) No reduction may be made unless the worker receives notice of the reduction prior to the month in which the reduction is made.

(5) In no event shall the reduction reduce total benefits to less than the greater amount the worker may be entitled to under this title or the federal old-age, survivors and disability insurance act.

(6) The director, pursuant to rules adopted in accordance with the procedures provided in the administrative procedure act, chapter 34.04 RCW, may exercise his discretion to waive, in whole or in part, the amount of any overpayment where the recovery would be against equity and good conscience.

(7) The amendment in subsection (1) of this section by this 1982 act raising the age limit during which the reduction shall be made from age sixty-two to age sixty-five shall apply with respect to workers whose effective entitlement to total disability compensation begins after the effective date of this 1982 act.

Sec. 20. Section 51.48.010, chapter 23, Laws of 1961 as last amended by section 69, chapter 350, Laws of 1977 ex. sess. and RCW 51.48.010 are each amended to read as follows:

Every employer shall be liable for the penalties described in this title and ~~((shall))~~ may also be liable if an injury or occupational disease has been sustained by a worker prior to the time he or she has secured the payment of such compensation to a penalty in a sum ~~((equal to))~~ not less than fifty percent nor more than one hundred percent of the cost for such injury or occupational disease~~(-)~~. Any employer who has failed to secure payment of compensation for his or her workers covered under this title may also be liable to a maximum penalty in a sum of two hundred dollars or in a sum double the amount of premiums incurred prior to securing payment of compensation under this title, whichever is greater, for the benefit of the medical aid fund.

Sec. 21. Section 51.48.030, chapter 23, Laws of 1961 as amended by section 64, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.030 are each amended to read as follows:

Every employer who fails to keep the records required by this title or fails to make the reports provided in this title shall be subject to a penalty of not to exceed ~~((one hundred dollars))~~ two hundred percent of the quarterly premium for each such offense.

Sec. 22. Section 51.52.120, chapter 23, Laws of 1961 as last amended by section 81, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.120 are each amended to read as follows:

(1) It shall be unlawful for an attorney engaged in the representation of any worker or beneficiary to charge for services in the department any fee in excess of a reasonable fee, of not more than thirty percent of the increase in the award secured by the attorney's services. Such reasonable fee shall be fixed by the director for services performed by an attorney for such worker or beneficiary, prior to the notice of appeal to the board if written application therefor is made by the attorney, worker, or beneficiary.

(2) If, on appeal to the board, the order, decision, or award of the department is reversed or modified and additional relief is granted to a worker or beneficiary, or in cases where a party other than the worker or beneficiary is the appealing party and the worker's or beneficiary's right to relief is sustained by the board, the board shall fix a reasonable fee for the services of his or her attorney in proceedings before the board if written application therefor is made by the attorney, worker, or beneficiary. In fixing the amount of such attorney's fee, the board shall take into consideration the fee allowed, if any, by the director, for services before the department, and the board may review the fee fixed by said director. Any attorney's fee set by the department or the board may be reviewed by the superior court upon application of such attorney, worker, or beneficiary. The department or self-insured employer, as the case may be, shall be served a copy of the application and shall be entitled to appear and take part in the proceedings. Where the board, pursuant to this section, fixes the attorney's fee, it shall be unlawful for an attorney to charge or receive any fee for services before the board in excess of that fee fixed by the board. Any person who violates any provision of this section shall be guilty of a misdemeanor.

Sec. 23. Section 51.52.130, chapter 23, Laws of 1961 as amended by section 82, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.130 are each amended to read as follows:

If, on appeal to the court from the decision and order of the board, said decision and order is reversed or modified and additional relief is granted to a worker or beneficiary, or in cases where a party other than the worker or beneficiary is the appealing party and the worker's or beneficiary's right to relief is sustained by the court, a reasonable fee for the services of the worker's or beneficiary's attorney shall be fixed by the court. In fixing the fee the court shall take into consideration the fee or fees, if any, fixed by the director and the board for such attorney's services before the department and the board. If the court finds that the fee fixed by the director or by the board is inadequate for services performed before the department or board, or if the director or the board has fixed no fee for such services, then the court shall fix a fee for the attorney's services before the department, or the board, as the case may be, in addition to the fee fixed for the services in the court. If the decision and order of the board is reversed or modified and if the accident fund is affected by the litigation then the attorney's fee fixed by the court for services before the court only, and the fees of medical and other witnesses and the costs shall be payable out of the administrative fund of the department.

In the case of self-insured employers, if the decision and order of the board is reversed or modified resulting in additional benefits by the litigation that would be paid from the accident fund if the employer were not self-insured, then the attorney fees fixed by the court for services before the court, only, and the fees of medical and other witnesses and the costs shall be payable directly by the self-insured employer.

NEW SECTION. Sec. 24. Sections 1 through 10 of this act constitute a new chapter in Title 51 RCW.

NEW SECTION. Sec. 25. There is appropriated from the medical aid fund to the department of labor and industries for the biennium ending June 30, 1983, the sum of one million dollars, or so much thereof as may be necessary, for the establishment, maintenance, and operation of the office of rehabilitation review established under this act.

There is also appropriated from the medical aid fund to the office of financial management for the biennium ending June 30, 1983, the sum of fifty thousand dollars, or so much thereof as may be necessary for the performance audit to be conducted under section 7 of this act.

There is also appropriated from the medical aid fund to the board of industrial insurance appeals for the biennium ending June 30, 1983, the sum of one hundred forty-five thousand six hundred eighty-five dollars, or so much thereof as may be necessary, for the processing and completion of expedited appeals conducted under this act.

NEW SECTION. Sec. 26. Section 4 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. All other sections of this act shall take effect on January 1, 1983. The director of the department of labor and industries is authorized to immediately take such steps as are necessary to insure that this act is implemented on its effective dates."

On page 1, line 1 of the title, after "An ACT Relating to" strike the remainder of the title and insert "industrial insurance; amending section 51.12.020, chapter 23, Laws of 1961 as last amended by section 3, chapter 128, Laws of 1981 and RCW 51.12.020; amending section 51.12.090, chapter 23, Laws of 1961 as last amended by section 20, chapter 350, Laws of 1977 ex. sess. and RCW 51.12.090; amending section 6, chapter 14, Laws of 1980 and RCW 51.12.110; amending section 51.32.050, chapter 23, Laws of 1961 as last amended by section 42, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.050; amending section 10, chapter 14, Laws of 1980 and RCW 51.32.095; amending section 3, chapter 286, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 231, Laws of 1979 ex. sess. and RCW 51.32.220; amending section 51.36.020, chapter 23, Laws of 1961 as last amended by section 57, chapter 350, Laws of 1977 ex. sess. and RCW 51.36.020; amending section 51.44.040, chapter 23, Laws of 1961 as last amended by section 21, chapter 323, Laws of 1977 ex. sess. and RCW 51.44.040; amending section 51.48.010, chapter 23, Laws of 1961 as last amended by section 69, chapter 350, Laws of 1977 ex. sess. and RCW 51.48.010; amending section 51.48.030, chapter 23, Laws of 1961 as amended by section 64, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.030; amending section 51.52.120, chapter 23, Laws of 1961 as last amended by section 81, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.120; amending section 51.52.130, chapter 23, Laws of 1961 as amended by section 82, chapter 350, Laws of 1977 ex. sess. and RCW 51.52.130; adding a new section to chapter 51.32 RCW; adding a new chapter to Title 51 RCW; making appropriations; providing an effective date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Engrossed House Bill No. 454.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 454 as amended by the Senate.

Mr. King (R) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 454 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kriedler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

Engrossed House Bill No. 454 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 462 with the following amendment:

On page 1, line 14 after "parent" insert "or guardian" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Taylor, the House concurred in the Senate amendment to Substitute House Bill No. 462.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 462 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 462 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3,

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

Substitute House Bill No. 462 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 1, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 920 with the following amendments:

On page 1, line 28 after "agency;" strike "and" and insert on the following line: "(8) Commission for vocational education; and"

On page 2, line 1 strike "(8)" and insert "(9)"

On page 2, line 6 strike all of section 4 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendment to Substitute House Bill No. 920.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 920 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 920 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Fiske, Rinehart.

Substitute House Bill No. 920 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED HOUSE BILL NO. 998, by Representatives Chandler, Salatino, McDonald, Johnson, O'Brien and Hankins:

Authorizing increase in levies for school district maintenance and operation purposes.

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

Representatives Chandler, Salatino and McDonald spoke in favor of passage of the bill, and Representatives Taylor, Greengo, Dickie, Heck and Clayton spoke against it.

Mr. Struthers demanded an oral roll call vote and the demand was sustained.

Representatives Prince, King (R), Teutsch and Warnke spoke in favor of the bill, and Representatives Erak, Patrick and Thompson spoke against it.

Mr. Taylor again opposed the bill, and Mr. Salatino spoke again in favor of it.

Mr. Hastings demanded the previous question and the demand was sustained.

Mr. Chandler closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 998, and the bill failed to pass the House by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Brown, Burns, Chandler, Ellis, Eng, Erak, Fancher, Gallagher, Garson, Hankins, Johnson, King R., Martinis, Maxie, McCormick, McDonald, McGinnis, Monohon, Nickell, Nisbet, O'Brien, Owen, Prince, Rosbach, Salatino, Sanders, Scott, Sherman, Sprague, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Becker, Bender, Berleen, Bickham, Brekke, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Flanagan, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Mitchell, Nelson D., Nelson G. A., North, Padden, Patrick, Pruitt, Rust, Schmidt, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Valle, Walk, Wilson.

Not voting: Representatives Bond, Fiske, Rinehart.

Engrossed House Bill No. 998, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Mr. Nelson (G), having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 998 failed to pass the House.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 4831, by Senator Jones, Bottiger, Vognild, Bauer, Quigg and Sellar:

Designating shorelines of state-wide economic significance.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

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

On motion of Mr. Van Dyken, the following amendments by Representatives Van Dyken and Becker were adopted:

On page 8, line 28 strike "Shorelines" and insert "Shoreline"

On page 8, line 29 after "following," strike "shorelines" and insert shoreline"

On motion of Mr. Martinis, the following amendment by Representatives Martinis and Lundquist was adopted:

On page 26, after line 13 insert the following:

"PROVIDED FURTHER, When approving substantial development permits on shorelines of statewide economic significance, local government shall require that the applicant provide reasonable housing and water access for the department of fisheries and the school of fisheries of the university of Washington to conduct a long term fisheries impact study to be developed jointly."

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Becker:

On page 26, line 3 after "resources" insert "and to other economic interests which local government may determine"

Representatives Van Dyken and Becker spoke in favor of the amendment, and Representatives King (R), Barrett and Clayton spoke against it.

Mr. Van Dyken spoke again in favor of the amendment.

The amendment was not adopted.

MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendments to page 8 by Representatives Van Dyken and Becker were adopted.

Representatives Sanders and Barrett spoke in favor of the motion.

POINT OF ORDER

Mr. Van Dyken: "Mr. Speaker, the request for reconsideration is on an amendment that has already been adopted. We have now moved onto other business and have voted on a second amendment. I suggest that the motion is out of order."

SPEAKER'S RULING

The Speaker: "There has been no business in consequence thereof, so the motion is in order, Representative Van Dyken."

POINT OF INQUIRY

Representative Barrett asked Representative Becker to yield to question and she refused to yield.

Representatives Becker and Warnke spoke against the motion, and Representatives Hastings, Lundquist and Barrett spoke in favor of it.

Mr. Van Dyken again opposed the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendments to page 8 by Representatives Van Dyken and Becker to Engrossed Senate Bill No. 4831 were adopted, and the motion was carried by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Addison, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brown, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, King J., King R., Leonard, Lewis, Lundquist, McCormick, McGinnis, Mitchell, Nelson G. A., Nickell, O'Brien, Owen, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Tilly, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Becker, Brekke, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, Kreidler, Lux, Martinis, Maxie, McDonald, Monohon, Nelson D., Nisbet, North, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sherman, Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Bond, Chandler, Fiske, Rinehart.

The Speaker stated the question before the House to be reconsideration of the amendments by Representatives Van Dyken and Becker to page 8 of Engrossed Senate Bill No. 4831.

Representatives Barrett, Isaacson, Clayton, Lundquist and Garson spoke against the amendments, and Representatives Van Dyken and Becker spoke in favor of them.

Mr. Van Dyken again spoke in favor of the amendments.

POINT OF INQUIRY

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

Mr. Nisbet: "Representative Van Dyken, I haven't had the pleasure of visiting your part of the country, especially in the area '...bounded by Powder Plant Road on the north and the Intalco Pier on the south in the area extended to a line two hundred feet above...' and so forth. Is that broken up into sections, or is that a single line? If I were to walk the beach there, would there be a shoreline along there or is that broken up into small pieces?"

Mr. Van Dyken: "That's a single shoreline."

Mr. Nisbet spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on reconsideration of adoption of the amendments by Representatives Van Dyken and Becker to page 8 of Engrossed Senate Bill No. 4831, and the amendments were not adopted by the following vote: Yeas, 43; nays, 49; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Becker, Brekke, Burns, Cole, Dawson, Ehlers, Eng, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Johnson, Kaiser, Kreidler, Lux, Martinis, Maxie, Nelson D., Nisbet, North, Padden, Patrick, Pruitt, Rust, Salatino, Sherman, Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brown, Cantu, Chamberlain, Clayton, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Isaacson, James, King J., King R., Leonard, Lewis, Lundquist, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, O'Brien, Owen, Prince, Rosbach, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Tilly, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bond, Chandler, Fiske, McDonald, Rinehart, Schmidt.

On motion of Mr. Lundquist, the following amendment by Representatives Lundquist, Salatino, Fiske, Brown, Winsley, Owen, Eberle, King (J), Hankins, Scott, Garson, Bender, Tupper, King (R), Ellis, Walk and Ehlers was adopted:

On page 26, after line 13 insert the following:

"When approving substantial development permits authorizing landfill on shorelies of statewide economic significance, local government shall require that construction be phased such that the landfill takes place only upon a determination by the applicant that orders for the work contemplated by the permit are in hand."

Ms. Brekke moved adoption of the following amendment:

On page 26, line 25 after "capricious" insert ";

(c) clearly erroneous in view of the entire record as submitted and the public policy contained in the shorelines management act"

Ms. Brekke spoke in favor of the amendment, and Mr. Sanders spoke against it.

Ms. Brekke spoke again in favor of the amendment, and Mr. Barrett opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Brekke to page 26 of Engrossed Senate Bill No. 4831, and the amendment was not adopted by the following vote: Yeas, 28; nays, 58; not voting, 12.

Voting yea: Representatives Becker, Berleen, Brekke, Burns, Cole, Ehlers, Eng, Erak, Garrett, Grimm, Heck, Hine, Kaiser, Kreidler, Lux, Martinis, Monohon, Nelson D., Nisbet, North, Pruitt, Rust, Sherman, Sommers, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bender, Bickham, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King J., King R., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Nelson G. A., Nickell, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Addison, Armstrong, Bond, Brown, Chandler, Fiske, Maxie, Mitchell, Rinehart, Salatino, Teutsch, Tupper.

Ms. Brekke moved adoption of the following amendment:

On page 32 beginning on line 4, after "state" strike all material down to and including "significance," on line 5.

Ms. Brekke spoke in favor of the amendment, and Mr. Barrett spoke against it.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

On page 38, beginning on line 29 strike all of section 13, and renumber the remaining sections consecutively.

Representatives Lux and Martinis spoke in favor of the amendment, and Representatives Smith, King (J) and Barrett spoke against it.

The amendment was not adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Becker:

On page 26, after line 26 add a new section as follows:

"NEW SECTION. Sec. 8. There is added to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW a new section to read as follows:

The state shall bear the costs of defending any review of the issuance of a permit by a local government as provided in RCW 90.58.020. The state shall also bear the costs of defending any actions against a local government, its agents, officers or employees for any act or omission relating to the issuance of a permit for development within a shoreline of statewide economic significance as provided in RCW 90.58.020 and shall be liable for any damage verdict against a local government, its agents, officers or employees which may result. If the original activity which results in state liability was a failure by the local government to comply with the permit issuance procedure established in RCW 90.58.020, or other unlawful activity by local government, its agents, officers or employees, the state shall be permitted to seek contribution from that local government."

Renumber the remaining sections consecutively.

Representatives Van Dyken and Becker spoke in favor of the amendment, and Representatives King (J), Barrett and King (R) spoke against it.

Mr. Van Dyken spoke again in favor of the amendment, and Representatives Clayton and Garson spoke against it.

The amendment was not adopted.

Ms. Valle moved adoption of the following amendment:

On page 38, after line 28 insert the following:

"NEW SECTION. Sec. 13. The implementation of the Shoreline Management Act of 1971 should be examined in order to establish methods and means of providing for full implementation of the act in a manner which reduces paperwork and delay, promotes better decision-making, establishes effective and uniform procedures, encourages public involvement, resolves problems which ten years' experience with the act has revealed, and promotes certainty with respect to the requirements of the act.

NEW SECTION. Sec. 14. There is hereby established the shoreline management commission which shall be composed as follows: Four members of the senate appointed by the president of the senate, including two members from each caucus; four members of the house of representatives appointed by the speaker of the house of representatives, including two members from each caucus; two representatives of industry appointed by the governor; two representatives of the environmental community appointed by the governor; one representative of cities appointed by the governor; and one representative of counties appointed by the governor.

The commission shall choose one of its legislative members as chairperson. Nonlegislative members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended. Legislative members shall be reimbursed for travel expenses as provided in RCW 44.04.120 as now or hereafter amended.

The commission shall:

(1) Study the Shoreline Management Act of 1971 and the administrative rules interpreting and implementing the act. The commission shall submit a report during the 1983 regular session of the legislature to the parks and ecology committee of the senate and the natural resources and environmental affairs committee of the house of representatives evaluating the effectiveness of the act and rules.

(2) Utilize legislative staff assistance which shall be provided by the appropriate legislative committees and conduct such studies as are necessary for the performance of its duties. State agencies may assign to the commission such personnel as are necessary to assist the commission in the performance of its duties. These personnel shall be used to the maximum extent practicable.

(3) Consult with federal and state agencies and representatives of science, industry, agriculture, labor, conservation organizations, state and local governments, concerned citizens, and other groups as it considers necessary.

(4) Use, to the fullest extent possible, the services, facilities, information, and advice of public and private agencies, organizations, and individuals, including the United States council on environmental quality, in order to avoid duplication of effort and expense with similar activities authorized by law and performed by established agencies to carry out the purposes of this act.

(5) Hold such public hearings in accordance with chapter 34.04 RCW as are necessary to insure early, meaningful, and continuous public input and involvement in the commission's work.

(6) Review model ordinances developed for local government to assure consistency with any changes in the administrative rules for the implementation of the Shoreline Management Act of 1971 which may be adopted.

(7) Propose amendments, if considered necessary, to the Shoreline Management Act of 1971 and the administrative rules interpreting and implementing the act.

(8) Appoint members of an advisory committee to advise the commission in the performance of its duties. The membership of the advisory committee shall be fairly balanced in terms of the points of view and interests represented and shall include, but not be limited to, representatives of a statewide environmental organization, representatives of business, labor, and of the public at large, and shall be knowledgeable or experienced in the principles and practice of the Shoreline Management Act of 1971. Members of the committee shall serve without compensation of any sort.

NEW SECTION. Sec. 15. The commission shall cease to exist at midnight, July 1, 1983. Upon the abolition of the commission on July 1, 1983, all powers, duties, and functions of the commission shall be transferred to the department of ecology.

NEW SECTION. Sec. 16. Sections 13 through 15 of this act shall be liberally construed to carry out the purposes and legislative intent expressed therein.

NEW SECTION. Sec. 17. There is appropriated to the shoreline management commission from the general fund for the biennium ending June 30, 1983, the sum of fifty thousand dollars, to carry out the purposes of this act."

Renumber the sections consecutively and correct any internal references accordingly.

Ms. Valle moved adoption of the following amendment to the amendment:

Strike all of section 17.

Ms. Valle spoke in favor of the amendment to the amendment, and Mr. Sanders spoke against it.

The amendment to the amendment was not adopted.

Ms. Valle spoke in favor of the amendment, and Mr. Barr spoke against it.

The amendment was not adopted.

Mr. Van Dyken moved adoption of the following amendment:

On page 2, beginning on line 24 with "The" strike the remainder of the bill, and insert the following:

((The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of state-wide significance. The department, in adopting guidelines for shorelines of state-wide significance, and local government, in developing master programs for shorelines of state-wide significance, shall give preference to uses in the following order of preference which:

(1) Recognize and protect the state-wide interest over local interest;

(2) Preserve the natural character of the shoreline;

(3) Result in long term over short term benefit;

(4) Protect the resources and ecology of the shoreline;

(5) Increase public access to publicly owned areas of the shorelines;

(6) Increase recreational opportunities for the public in the shoreline;

(7) Provide for any other element as defined in RCW 90.58-100 deemed appropriate or necessary.

In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shoreline. Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating

~~public access to shorelines of the state, industrial and commercial developments which are particularly dependent on their location on or use of the shorelines of the state and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the state.~~

~~Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.)~~

NEW SECTION, Sec. 2. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the department made within one year prior to the effective date of this act, that rejected, conditionally approved, or approved proposed adjustments to a local government master program may seek review by the shorelines hearings board of such decision by filing a request for the same with the board if a request for review is filed within thirty days after the effective date of this act. The review by the shorelines hearings board shall be considered a contested case under chapter 34.04 RCW. The shorelines hearings board shall consider if the proposed adjustment is consistent with the policies of chapter 90.58 RCW and the promotion of the economic vitality of the state. A proposed adjustment may only be rejected if the shorelines hearings board finds that it is not consistent with such policies.

NEW SECTION, Sec. 3. There is added to chapter 90.58 RCW a new section to read as follows:

Any adjustment to its master program made after the effective date of this act, by a local government shall become effective ninety days after its adoption without approval by the department, except when an appeal is filed as hereinafter provided. An adjustment may only be adopted by the local government if, prior to its adoption, a public hearing was held on the proposal. At least three weeks prior to this hearing the local government proposing to adjust its master program shall provide written notification of the proposal to the department. The department, as the primary agency responsible for the administration of this chapter, shall both notify other affected state agencies of the proposal and provide advice and counsel to the local government proposing the adjustments. After a local government adopts an adjustment to its master program, it shall immediately send a copy of its adjustment to the department. The department shall send copies of the adjustment to any state agency which may have an interest in the adjustment.

During this ninety-day period any state agency or any aggrieved person may appeal such adjustment to the shorelines hearings board as not being consistent with the policy of RCW 90.58.020. Review by the hearings board shall be considered a contested case under chapter 34.04 RCW, except that an appeal to the superior court from a final decision of the hearings board shall only be made to the superior court of the county within whose boundaries the land subject to the proposed adjustment if primarily located, and venue for any such action shall lie in that county. The review by the hearings board shall be heard within the county where the land subject to the proposed adjustment is primarily located. The board, after full consideration of the presentations of the local government and the aggrieved party or agency, shall make a balanced determination of the validity of the local government's ordinance in light of the policies and standards for implementation set forth in the act.

NEW SECTION, Sec. 4. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the shorelines hearings board under sections 2 or 3 of this act may seek judicial review thereof by filing a petition in the superior court of the county within whose boundaries the land subjected to the proposed adjustments is located.

Sec. 5. Section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150 are each amended to read as follows:

This chapter shall not apply to the state militia, or the board of prison terms and paroles, or any institution of higher education as defined in RCW 28B.19.020. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply to the denial, suspension, or revocation of a driver's license by the department of licensing. To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100. To the extent they are inconsistent with sections 2, 3, and 4 of this 1982 act; (1) RCW 34.04.090, 34.04.100, and 34.04.105 do not apply to the review by the shorelines hearings board of proposed adjustments to a local government master program; and (2) RCW 34.04.130 does not apply to the superior court where review of a final decision by the shorelines hearings board on proposed adjustments to a local government master program may be sought. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

NEW SECTION, Sec. 6. Section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190 are each repealed.

NEW SECTION, Sec. 7. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Van Dyken moved adoption of the following amendment to the amendment:

Beginning on page 1, line 4 strike everything through and including Page 3, line 1.

The amendment to the amendment was not adopted.

On motion of Mr. Van Dyken, the amendment to the amendment was reconsidered and adopted.

The Speaker stated the question before the House to be the amendment as amended.

Representatives Van Dyken and Becker spoke in favor of the amendment as amended, and Representatives Lundquist and Clayton spoke against it.

Mr. Lundquist again opposed the amendment as amended, and Mr. McDonald spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken as amended to Engrossed Senate Bill No. 4831, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Becker, Berleen, Brekke, Burns, Cole, Dawson, Ehlers, Eng, Galloway, Garrett, Grimm, Heck, Hine, Houchen, Kreidler, Lux, Martinis, Maxie, McDonald, Monohon, Nelson D., Nisbet, North, Padden, Patrick, Pruitt, Rust, Salatino, Sherman, Sommers, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, Winsley.

Voting nay: Representatives Barrett, Bender, Bickham, Bond, Brown, Cantu, Chamberlain, Clayton, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Garson, Granlund, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, McCormick, McGinnis, Mitchell, Nelson G. A., Nickell, O'Brien, Owen, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Thompson, Tilly, Valle, Walk, Williams, Wilson.

Not voting: Representatives Addison, Chandler, Fiske, Rinehart, and Mr. Speaker.

Engrossed Senate Bill No. 4831 as amended by the House was passed to Committee on Rules for third reading.

WITHDRAWAL OF NOTICE OF RECONSIDERATION

With the consent of the House, Mr. Wang withdrew the notice of reconsideration on Engrossed Substitute House Bill No. 1102.

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 1102 was ordered immediately transmitted to the Senate.

MESSAGES FROM THE SENATE

March 3, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 4061,
ENGROSSED SENATE BILL NO. 4578,
ENGROSSED SENATE BILL NO. 4616,
ENGROSSED SENATE BILL NO. 4686,
SUBSTITUTE SENATE BILL NO. 4864,

SENATE CONCURRENT RESOLUTION NO. 139,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603,
ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 4, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 751,
HOUSE BILL NO. 832,
HOUSE BILL NO. 844,
HOUSE BILL NO. 1013,
SUBSTITUTE HOUSE BILL NO. 1041,
HOUSE JOINT MEMORIAL NO. 14,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Friday, March 5, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

FIFTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 5, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Lewis and Winsley. Representative Lewis was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sherry King and Eric Teutsch. Prayer was offered by The Reverend Stanley Workman, Minister of the Evergreen Christian Reformed Church of Olympia.

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

MESSAGE FROM THE SENATE

March 4, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 571,
SUBSTITUTE HOUSE BILL NO. 810,
HOUSE BILL NO. 826,
HOUSE BILL NO. 1036,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 4061, by Committee on Higher Education (originally sponsored by Senator Goltz):

Exempting workshops or seminars of not more than three days and not offered for academic credit from educational services registration act.

To Committee on Higher Education

ENGROSSED SENATE BILL NO. 4578, by Senators Scott, Deccio, Talmadge, Goltz, Charnley, Benitz and Fleming:

Increasing the insurance premiums' tax.

To Committee on Revenue

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, by Committee on Ways and Means (originally sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller - by Governor Spellman request):

Providing the means for the payment of public indebtedness on public improvements.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 4616, by Senators Gould, Moore, Hemstad and Williams:

Requiring inverted electric rate structures.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 4686, by Senators Fuller, Hurley, Charnley, Gould and Hemstad:

Providing for energy conservation through the recycling of used oil.

To Committee on Energy and Utilities

SUBSTITUTE SENATE BILL NO. 4864, by Committee on Local Government (originally sponsored by Senators Goltz and Kiskaddon):

Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.

To Committee on Appropriations – General Government

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, by Committee on Local Government (originally sponsored by Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz – by Governor Spellman request):

Providing the means for the payment of indebtedness on public improvements.

To Committee on Revenue

SENATE CONCURRENT RESOLUTION NO. 139, by Senator Guess:

Establishing a joint select committee on the State Building Code.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

March 4, 1982

HOUSE BILL NO. 1217, Prime Sponsor: Representative Williams, modifying provisions on joint operating agencies. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; James, Vice Chairman; McGinnis, Monohon.

Voting nay: Representative King (R), Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 3, 1982

ENGROSSED SENATE BILL NO. 3944, Prime Sponsor: Senator Guess, modifying the labor dispute disqualification for unemployment benefits. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10 after "that" strike "his" and insert "((his)) the individual's"

On page 1, line 16 after "(a)" strike "He" and insert "((he)) The individual"

On page 1, line 19 after "(b)" strike "He" and insert "((he)) The individual"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; Barr, Barrett, Clayton, Eberle, Flanagan, Hankins, Smith.

Voting nay: Representatives Brekke, Brown, Cole, Garrett, Lux.

Not attending: Representatives King (J), Ranking Minority Member; Monohon.

Passed to Committee on Rules for second reading.

March 4, 1982

SENATE BILL NO. 4769, Prime Sponsor: Senator Lee, requiring higher education personnel's and state employees' salaries to be adjusted to achieve comparable worth. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 31 strike "increased" and insert "adjusted"

On page 7, line 19 strike "increased" and insert "adjusted"

On page 8, line 32 strike "increases" and insert "adjustments"

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Ellis, Kaiser, King (J), Maxie, McGinnis.

Voting nay: Representative Barnes.

Not attending: Representatives Thompson, Ranking Minority Member; Monohon, Rosbach.

Rereferred to Committee on Ways and Means

March 3, 1982

SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 134, Prime Sponsor: Committee on Education, urging the adoption of abuse prevention programs in Washington schools. Reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chairman; Johnson, Vice Chairman; Valle, Ranking Minority Member; Armstrong, Bender, Dickie, Ellis, Eng, Galloway, Hine, Lewis, Maxie.

Not attending: Representatives Cantu, Eberle, James, McDonald, Vander Stoep, Warnke.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE BILL NO. 736, by Committee on State Government and Representative Garson:

Allowing the state employees' insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 736, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Salatino, Winsley.

House Bill No. 736, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 906, by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Chandler, Wilson, Monohon, Nisbet, Vander Stoep, Struthers, Nelson (G), Hankins, Galloway, King (J), Winsley, Heck, Ellis, Wang and Armstrong (by Governor Spellman request):

Creating the community economic revitalization board.

The bill was read the second time. On motion of Mr. Addison, Second Substitute House Bill No. 906 was substituted for House Bill No. 906, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 906 was read the second time.

Ms. Rinehart moved adoption of the following amendments by Representatives Rinehart and Kreidler:

On page 2, line 3 strike "(1)"

On page 2, after line 4 strike all the material down to and including "board." on page 3, line 9

Ms. Rinehart spoke in favor of the amendments, and Mr. Chamberlain spoke against them.

POINT OF INQUIRY

Mr. Chamberlain yielded to question by Ms. Cole.

Ms. Cole: "You said that eighty percent of the project went to small businesses. In terms of dollars, how much went to small businesses?"

Mr. Chamberlain: "I thought I said that eighty percent of the deferrals granted were to companies under 5-man. I don't know the answer to your question, Representative Cole, as far as money is concerned."

Representatives Cole, Ehlers and Nelson (D) spoke in favor of the amendments, and Representatives Sanders and Greengo spoke against them.

Ms. Rinehart spoke again in favor of the amendments.

POINT OF INQUIRY

Ms. Rinehart yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Rinehart, is this amendment, in effect, trying to take out the tax deferral part of the bill for manufacturing and processing?"

Ms. Rinehart: "Representative Flanagan, the intention of this series of amendments is to do that, but because of the parliamentary problem, we are only considering two of the amendments at this time."

Mr. Flanagan spoke against the amendments, and Mr. Nelson (D) again spoke in favor of them.

The amendments were not adopted.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, McDonald, Williams, King (J) and Becker:

On page 8, after line 26 insert the following:

"(7) The total amount of deferred taxes authorized by the board on all investment projects for which tax deferrals are approved by the board during a fiscal year shall not exceed ten million dollars."

Ms. Sommers spoke in favor of the amendment, and Representatives Chamberlain and Chandler spoke against it.

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

Mr. King (J) spoke in favor of the amendment.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Sommers, as I read your amendment, you are putting the cap of \$10 million on what could be granted. Is it conceivable that one company could be granted the whole \$10 million?"

Ms. Sommers: "It is conceivable if the board had judgment that poor, but under the provisions of the law, the board may make the judgment as to how much they do grant the companies."

Mr. Hastings spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sommers and others to Second Substitute House Bill No. 906, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kridler, Lux, Maxie, McDonald, McGinnis, Monohon, Nelson D., O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Van Dyken, Walk, Wang.

Voting nay: Representatives Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, Martinis, McCormick, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Vander Stoep, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Lewis, North, Schmidt, Wilson, Winsley.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "Nay" to "Aye" on the Sommers' amendment to Second Substitute House Bill No. 906.

MARGARET J. LEONARD, 3rd District.

Ms. Becker moved adoption of the following amendment:

On page 8, line 26 after "period." insert "Taxes deferred under this section are subject to interest at the rate of ten percent per annum computed on a monthly basis from the date of deferral until paid."

Representatives Becker and Lux spoke in favor of the amendment, and Mr. Williams spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Becker to Second Substitute House Bill No. 906, and the amendment was not adopted by the following vote: Yeas, 35; nays, 60; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Lewis, North, Winsley.

Mr. King (J) moved adoption of the following amendment:

On page 9, line 20 after "12." strike all the material down to and including "1987." on line 23 and insert "This chapter expires on June 30, 1984. Any remaining duties of the community economic revitalization board after June 30, 1984, are transferred to the department of revenue on June 30, 1984."

Representatives King (J), Nelson (D), Rinehart and King (R) spoke in favor of the amendment, and Representatives Clayton, Barrett and Bond spoke against it.

The amendment was not adopted.

Second Substitute House Bill No. 906 was passed to Committee on Rules for third reading.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Lewis, who was excused.

SUBSTITUTE HOUSE BILL NO. 1053, by Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representative Barnes):

Modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 45th Day, February 24, 1982.)

Mr. Nelson (D) moved adoption of the following amendment:

On page 3, line 21 strike ", the capability to secure these resources, or the capability to secure" and insert "or"

Mr. Nelson (D) spoke in favor of the amendment, and Mr. Barnes spoke against it.

The amendment was not adopted.

Ms. Hine moved adoption of the following amendments by Representatives Hine, Wang, Barnes and Cantu:

On page 5, line 1 strike all of subsection (3) and renumber the remaining subsections consecutively.

On page 5, line 12 after "Sec. 6." insert "(1)" and on page 5, after line 19 add a new subsection as follows:

"(2) When a joint operating agency chooses to use one or more of the exceptions to sealed bid contracting specified in this chapter, the agency shall certify to the legislative budget committee in writing within thirty days after the contract is signed, that such contract is in the public interest, state the reason or reasons why, and indicate the estimated cost savings or schedule improvement to the project compared to contracting for the same materials, supplies, equipment or work through completion of work as contracted, including termination costs, or through sealed bids."

Representatives Hine, Barnes and Cantu spoke in favor of the amendment, and it was adopted.

Mr. James moved adoption of the following amendment by Representatives James, Patrick and Nelson (G):

On page 5, after line 19 insert the following new section:

"NEW SECTION. Sec. 7. No joint operating agency constructing, improving, or operating electrical facilities formed after the effective date of this act shall make or contract to make any procurements without the approval of a majority of the voters in the cities or public utility districts or combinations thereof forming the joint operating agency. The joint operating agency or the cities or districts forming the joint operating agency shall bear all of the direct and indirect costs attributable to any election required by this section."

Re-number the remaining sections consecutively.

Representatives James and Patrick spoke in favor of the amendment, and Representatives Barnes, Hine, Tupper and Nelson (D) spoke against it.

Mr. James spoke again in favor of the amendment, and Mr. Isaacson spoke against it.

The amendment was not adopted.

Mr. James moved adoption of the following amendment by Representatives James, Patrick, Nelson (G) and King (R):

On page 5, after line 24 insert the following new section:

"NEW SECTION. Sec. 8. Prior to any procurement having a total cost over \$500,000, by a joint operating agency constructing, improving, or operating electrical facilities, every member city or public utility district shall be given a reasonable opportunity to withdraw from the joint operating agency."

Re-number the remaining sections consecutively.

Mr. James spoke in favor of the amendment, and Mr. Barnes spoke against it.

POINT OF INQUIRY

Mr. James yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Thinking about the situation with the Washington Public Power Supply System for a moment—if WPPSS decided to make a procurement in excess of \$500,000—if this amendment passes and all and all of the participants in WPPSS used this amendment as a way to withdraw from WPPSS, where then would you see the bonded indebtedness relative to WPPSS going?"

Mr. James: "The purpose of this amendment is to make it difficult as you have indicated. Certainly, in regard to the management of WPPSS—and I do have a great deal of respect for the existing management of WPPSS, and I've given them a great deal of support in a good many ways and will continue to do so—this does create a method whereby we can focus on the responsibility of that management and the discharge of duties to the participants, and this certainly gives the participants a hammer."

Mr. Vander Stoep: "Could I ask the question again, Representative James? If the Washington Public Power Supply System decided to make a procurement in excess of \$500,000, if this amendment passes and all of the entities making up WPPSS decided to use this amendment as a way to withdraw from WPPSS, where then would the bonded indebtedness fall, in your opinion?"

Mr. James: "I would rather defer to legal counsel on that rather than give you my opinion on it; however, I think that potentiality is extremely remote."

Representatives Vander Stoep and Wang spoke against the amendment, and it was not adopted.

Substitute House Bill No. 1053 was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1039, by Representatives Eberle and Sanders:

Removing authority of state liquor stores to sell beer and wine.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1039 was substituted for House Bill No. 1039, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1039 was read the second time.

Mr. Struthers moved adoption of the following amendments by Representatives Struthers, Sommers, Amen, Kreidler, McCormick, Flanagan and Fancher:

On page 1, beginning on line 8 strike all of sections 1 and 2 and renumber the remaining sections consecutively and correct all internal references accordingly.

On page 2, line 15 after "public." insert:

"The legislative budget committee study shall be submitted to the legislature no later than January 15, 1983."

On page 2, beginning on line 22 strike all of section 5.

POINT OF ORDER

Mr. Sanders: "Mr. Speaker, this, in effect, is 180° from the intent of the bill, and Reed's Rules of Order say that is out of order."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "This does not turn the intent around, so the amendment is in order."

Mr. Struthers spoke in favor of the amendments, and Mr. Eberle spoke against them.

POINT OF INQUIRY

Mr. Eberle yielded to question by Ms. Brekke.

Ms. Brekke: "Representative Eberle, you are talking about gaining money, and aside from the warehouse thing which you mentioned afterwards, how would the Liquor Control Board gain money by removing wine and beer?"

Mr. Eberle: "Representative Brekke, you have hit upon the crux of the matter as a matter of fact. What happens is that beer and wine, which make up only about eighteen percent of the sales of the liquor store, use up about thirty percent of the shelf space. It turns out the Liquor Board only stocks about three or four or, maybe, five hundred varieties of liquor, and that includes many different size bottles, when there are about sixteen hundred varieties available. There are a number of quite expensive liquors, and such, that they do not stock. An analysis by a competent retail expert has shown that if they would stock the other varieties, they would undoubtedly sell some of them. If they sold the higher priced varieties, the average sale price would increase and when the average sale price increases, even for the same number of ounces sold, you get more profit. When you distribute more profit among local, county and state government, everybody has more money."

Representatives Brekke and Sommers spoke in favor of the amendments, and Representatives McGinnis, Owen and Thompson spoke against them.

Mr. Struthers spoke again in favor of the amendments.

Mr. Hastings demanded the previous question and the demand was not sustained.

POINT OF INQUIRY

Mr. Eberle yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Eberle, I understood Representative Owen to say that the stores have to buy the wine and beer from a wholesaler, but the liquor stores can buy direct from the winery or the brewery. Is that true?"

Mr. Eberle: "Under certain circumstances, based on the Des Moines Convention, that is basically correct. It is not precisely correct, but in practical effect, it is correct."

Mr. Flanagan: "Why is that?"

Mr. Eberle: "That's because, Representative Flanagan, the states in the United States that do have the liquor monopoly met in Des Moines, and they made an agreement that they would not buy any liquor or wine from a wholesaler that did not sell to everyone at the same

low price, so that between all the states that buy on a monopoly basis, the state of Washington then may start out any certain quarter and order at a particular price, and if they discover within that same quarter that another state is buying the same brand and variety at a lower price, then they can demand the lower price. The private sector can't do that. So the net effect is that the state of Washington gets to buy things at a lower price based on the monopoly state laws than at which the private retailers get to buy."

Mr. Flanagan spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Struthers and others to Substitute House Bill No. 1039, and the amendments were adopted by the following vote: Yeas, 65; nays, 30; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Ellis, Eng, Fancher, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Barnes, Barrett, Berleen, Bickham, Bond, Clayton, Dickie, Eberle, Ehlers, Erak, Fiske, Gallagher, Hankins, Hastings, Houchen, Isaacson, James, King J., King R., Lundquist, McGinnis, Nelson G. A., Owen, Padden, Sanders, Sprague, Thompson, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barr, Lewis, Teutsch.

On motion of Mr. Struthers, the following amendment to the title was adopted:

On page 1, beginning on line 1 of the title after "stores;" strike the remainder of the title and insert "creating a new section; and making an appropriation."

The bill was ordered engrossed and passed to Committee on Rules for third reading.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 912, by Committee on Energy and Utilities (originally sponsored by Representative Barnes - by Governor Spellman request):

Modifying provisions relating to the energy facility site evaluation council.

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

Mr. Barnes spoke in favor of passage of the bill, and Mr. Nelson (G) spoke against it.

Mr. Barnes spoke again in favor of the bill, and Ms. Hine spoke against it.

Mr. Isaacson spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 912, and the bill failed to pass the House by the following vote: Yeas, 40; nays, 56; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Fancher, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, James, Leonard, Lundquist, McCormick, McGinnis, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Berleen, Brekke, Burns, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fiske, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Not voting: Representatives Barrett, Lewis.

Engrossed Substitute House Bill No. 912, having failed to receive the constitutional majority, was declared lost.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, by Committee on Ways and Means (originally sponsored by Representatives Williams, Dawson, Isaacson and Dickie):

Modifying fiscal provisions of the state Constitution.

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

Mr. Williams spoke in favor of the resolution.

POINT OF PARLIAMENTARY INQUIRY

Mr. Hastings: "Mr. Speaker, how many votes are required to pass this resolution?"

The Speaker (Mr. Amen presiding): "Sixty-six votes are required."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 13, and the resolution passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Brekke, Thompson.

Not voting: Representative Lewis.

Engrossed Substitute House Joint Resolution No. 13, having received the constitutional majority, was declared passed.

The Speaker resumed the Chair.

HOUSE JOINT MEMORIAL NO. 24, by Representatives Berleen, McCormick, Dickie, Brown, Eberle, Owen and Leonard:

Requesting the end of mandatory vehicle emission testing.

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

Representatives Berleen, Eberle and Padden spoke in favor of the memorial, and Representatives Valle and Pruitt spoke against it.

POINT OF INQUIRY

Ms. Berleen yielded to question by Ms. Granlund.

Ms. Granlund: "Representative Berleen, I notice in my bill report that there is no testimony either for or against this bill. Why?"

Ms. Berleen: "There was a similar bill that had to do with state statute that went through the same committee, and there was public testimony on that bill. The Automobile Club of Washington was in favor of it, along with myself and some senior citizens."

Representatives Granlund, Rust and Lux spoke against passage of the memorial, and Mr. Nisbet spoke in favor of it.

Ms. Berleen spoke again in favor of the memorial, and Ms. Valle again opposed it.

Mr. Taylor spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 24, and the memorial passed the House by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, King J., Leonard, Lundquist, McCormick, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Burns, Cole, Dawson, Ehlers, Eng, Erak, Granlund, Hine, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, McDonald, Monohon, Nelson D., North, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Valle, Van Dyken, Wang.

Not voting: Representatives Lewis, Tupper.

House Joint Memorial No. 24, having received the constitutional majority, was declared passed.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 70,
HOUSE BILL NO. 131,
SUBSTITUTE HOUSE BILL NO. 135,
HOUSE BILL NO. 357,
HOUSE BILL NO. 454,
SUBSTITUTE HOUSE BILL NO. 462,
SUBSTITUTE HOUSE BILL NO. 571,
SUBSTITUTE HOUSE BILL NO. 810,
HOUSE BILL NO. 826,
SUBSTITUTE HOUSE BILL NO. 920,
SUBSTITUTE HOUSE BILL NO. 1015,
HOUSE BILL NO. 1036.

SUBSTITUTE HOUSE BILL NO. 1109, by Committee on Ways and Means (originally sponsored by Representatives Sommers, Greengo and King, J.):

Modifying provisions relating to the budget stabilization account.

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

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Thompson.

Not voting: Representative Lewis.

Substitute House Bill No. 1109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 5:30 p.m.

EVENING SESSION

The House was called to order at 5:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Lewis and McGinnis, who were excused.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4461, by Committee on Judiciary (originally sponsored by Senators Bluechel, Deccio, Charnley, Benitz, Fuller, Gallagher, Gould, Guess, Haley, Jones, Lee, Patterson, Quigg, Sellar and von Reichbauer):

Modifying time limits and evidence rules in actions involving the sexual abuse of children.

The bill was read the second time.

Ms. Galloway moved adoption of the following amendment by Representatives Galloway, Berleen, Lewis, Brown, Salatino and James:

On page 2, after line 24 insert the following:

"Sec. 3. Section 9A.64.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.64.020 are each amended to read as follows:

(1) A person is guilty of incest in the first degree if he engages in sexual intercourse with a person whom he knows to be related to him, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either the whole or the half blood.

(2) A person is guilty of incest in the second degree if he engages in sexual contact with a person whom he knows to be related to him, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either the whole or the half blood.

(3) As used in this section, 'descendant' includes stepchildren and adopted children under eighteen years of age.

~~((3))~~ (4) As used in this section, 'sexual contact' has the same meaning as in RCW 9A.44.100(2).

(5) Incest in the first degree is a class ((E)) B felony.

(6) Incest in the second degree is a class C felony.

Sec. 4. Section 31, chapter 291, Laws of 1977 ex. sess. as amended by section 37, chapter 155, Laws of 1979 and RCW 13.34.030 are each amended to read as follows:

For purposes of this chapter:

(1) 'Child' and 'juvenile' means any individual under the age of eighteen years;

(2) 'Dependent child' means any child:

(a) Who has been abandoned; that is, where the child's parent, guardian, or other custodian has evidenced either by statement or conduct, a settled intent to forego, for an extended period, all parental rights or all parental responsibilities despite an ability to do so; or

(b) Who is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child; or

(c) Who has no parent, guardian, or custodian willing and capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development.

Sec. 5. Section 34, chapter 291, Laws of 1977 ex. sess. as amended by section 39, chapter 155, Laws of 1979 and RCW 13.34.060 are each amended to read as follows:

(1) A child taken into custody pursuant to RCW 13.34.050 or 26.44.050 shall be immediately placed in shelter care. 'Shelter care' means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to that section. Whenever a child is taken into such custody pursuant to this section, the supervising agency may authorize routine medical and dental examination and care and all necessary emergency care. In no case may a child who is taken into custody pursuant to RCW 13.34.050 or 26.44.050 be detained in a secure detention facility. No child may be held longer than seventy-two hours, excluding Sundays and holidays, after such child is taken into custody unless a court order has been entered for continued shelter care. The child and his or her parent, guardian, or custodian shall be informed that they have a right to a shelter care hearing. The court shall hold a shelter care hearing if one is requested.

(2) The juvenile court counselor assigned to the matter shall make all reasonable efforts to advise the parents, guardian, or legal custodian of the time and place of any shelter care hearing, request that they be present, and inform them of their basic rights as provided in RCW 13.34.090.

(3) At the commencement of the shelter care hearing the court shall advise the parties of their basic rights as provided in RCW 13.34.090 and shall appoint counsel pursuant to RCW 13.34.090 if counsel has not been retained by the parent or guardian and if the parent or guardian is indigent, unless the court finds that the right to counsel has been expressly and voluntarily waived.

(4) The court shall ~~((take testimony concerning the circumstances for taking the child into custody and the need for shelter care. The court shall give the child and the child's parent or guardian and the parent's or guardian's counsel an opportunity to introduce evidence, to be heard in their own behalf, and to examine witnesses))~~ examine the need for shelter care. All parties have the right to present testimony to the court regarding the need or lack of need for shelter care. Hearsay evidence may be admitted if the court finds that there are sufficient indicia of its reliability.

(5) The juvenile court probation counselor shall submit a recommendation to the court as to the further need for shelter care, except that such recommendation shall be submitted by the department of social and health services in cases where the petition alleging dependency has been filed by the department of social and health services, unless otherwise ordered by the court.

(6) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(a) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(b) The release of such child would present a serious threat of substantial harm to such child.

If the court does not release the child to his or her parent, guardian, or legal custodian, the court shall order continued shelter care or order placement with another suitable person, and the court shall set forth its reasons for the order.

(7) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(8) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. No child may be detained for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

Sec. 6. Section 2, chapter 13, Laws of 1965 as last amended by section 1, chapter 164, Laws of 1981 and RCW 26.44.020 are each amended to read as follows:

For the purpose of and as used in this chapter:

(1) 'Court' means the superior court of the state of Washington, juvenile department.
 (2) 'Law enforcement agency' means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.

(3) 'Practitioner of the healing arts' or 'practitioner' means a person licensed by this state to practice podiatry, optometry, chiropractic, nursing, dentistry, osteopathy and surgery, or medicine and surgery. The term 'practitioner' shall include a duly accredited Christian Science practitioner: PROVIDED, HOWEVER, That a ((child)) person who is being furnished Christian Science treatment by a duly accredited Christian Science practitioner shall not be considered, for that reason alone, a neglected ((child)) person for the purposes of this chapter.

(4) 'Institution' means a private or public hospital or any other facility providing medical diagnosis, treatment or care.

(5) 'Department' means the state department of social and health services.

(6) 'Child' or 'children' means any person under the age of eighteen years of age.

(7) 'Professional school personnel' shall include, but not be limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.

(8) 'Social worker' shall mean anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support or education of children, or providing social services to adults or families, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.

(9) 'Psychologist' shall mean any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(10) 'Pharmacist' shall mean any registered pharmacist under the provisions of chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(11) '((Clergyman)) Clergy' shall mean any regularly licensed or ordained minister ((or any)), priest or rabbi of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(12) 'Child abuse or neglect' shall mean the injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment of a child by ((a)) any person ((who is legally responsible for the child's welfare)) under circumstances which indicate that the child's health, welfare, and safety is harmed thereby. An abused child is a child who has been subjected to child abuse or neglect as defined herein: PROVIDED, That this subsection shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare, and safety.

(13) 'Child protective services section' shall mean the child protective services section of the department.

(14) 'Adult developmentally disabled persons not able to provide for their own protection through the criminal justice system' shall be defined as those persons over the age of eighteen years with developmental disabilities who have been found legally incompetent pursuant to chapter 11.88 RCW or found disabled to such a degree pursuant to said chapter, that such protection is indicated: PROVIDED, That no persons reporting injury, abuse, or neglect to an adult developmentally disabled person as defined herein shall suffer negative consequences if such a judicial determination of incompetency or disability has not taken place and the person reporting believes in good faith that the adult developmentally disabled person needs the protection offered by this chapter.

(15) 'Sexual exploitation' includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by ((a)) any person ((responsible for the child's welfare)); or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes as those acts are defined by state law by ((a)) any person ((responsible for the child's welfare)).

(16) 'Negligent treatment or maltreatment' means an act or omission which evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety.

Sec. 7. Section 3, chapter 13, Laws of 1965 as last amended by section 2, chapter 164, Laws of 1981 and RCW 26.44.030 are each amended to read as follows:

(1) When any practitioner, professional school personnel, registered or licensed nurse, social worker, psychologist, pharmacist, or employee of the department ((of social and health services)) has reasonable cause to believe that a child or adult developmentally disabled person has suffered abuse or neglect, he shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department ((of social and health services)) as provided in RCW 26.44.040. The report shall be made at the first opportunity, but in no case longer than seven days after there is reasonable cause to believe that the child or adult has suffered abuse or neglect.

(2) Any other person who has reasonable cause to believe that a child or adult developmentally disabled person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040 as now or hereafter amended.

(3) The department upon receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult developmentally disabled person who has died or has had physical injury or injuries inflicted upon him other than by accidental means or who has been subjected to sexual abuse shall report such incident to the proper law enforcement agency.

(4) Any law enforcement agency receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult developmentally disabled person who has died or has had physical injury or injuries inflicted upon him other than by accidental means, or who has been subjected to sexual abuse, shall report such incident to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime has been committed.

Sec. 8. Section 9, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.056 are each amended to read as follows:

An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if the circumstances or conditions of the child are such that the detaining individual has reasonable cause to believe that permitting the child to continue in his or her place of residence or in the care and custody of the parent, guardian, custodian or other person legally responsible for the child's care would present an imminent danger to that child's safety: PROVIDED, That such administrator or physician shall ((immediately)) notify or cause to be notified the appropriate law enforcement agency or ((juvenile court officer)) child protective services pursuant to RCW 26.44.040 ((and request immediate transfer of custody)). Such notification shall be made as soon as possible and in no case longer than seventy-two hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest ((and shall continue only until supervisory custody is assumed by the appropriate law enforcement agency or juvenile court)). Child protective services may detain the child until the court assumes custody, but in no case longer than seventy-two hours, excluding Saturdays, Sundays, and holidays.

Sec. 9. Section 6, chapter 13, Laws of 1965 as amended by section 6, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.060 are each amended to read as follows:

(1) Any person participating in good faith in the making of a report pursuant to this chapter or testifying as to alleged child abuse or neglect in a judicial proceeding shall in so doing be immune from any liability arising out of such reporting or testifying under any law of this state or its political subdivisions.

(2) An administrator of a hospital or similar institution or any physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a child into custody pursuant to RCW 26.44.056 shall not be subject to criminal or civil liability for such taking into custody.

(3) Conduct conforming with the reporting requirements of this chapter shall not be deemed a violation of the confidential communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and 18.83.110. Nothing in this chapter shall be construed as to supersede or abridge remedies provided in chapter 4.92 RCW.

Sec. 10. Section 3, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.080 are each amended to read as follows:

Every person who is required to make, or to cause to be made, a report pursuant to RCW 26.44.030 and 26.44.040, and who knowingly fails to make, or fails to cause to be made, such report, shall be guilty of a gross misdemeanor."

Renumber the sections consecutively.

On motion of Ms. Galloway, the following amendment by Representatives Berleen and Galloway to the amendment by Representative Galloway and others was adopted:

On page 4, beginning on line 27 after the period strike everything through and including the period on line 30.

The Speaker declared the question before the House to be the amendment by Representative Galloway and others as amended.

Representatives Galloway and Berleen spoke in favor of the amendment, and it was adopted.

On motion of Ms. Galloway, the following amendment to the title was adopted:

On page 1, on line 4 of the title, after "9A.04.080;" strike the remainder of the title and insert "amending section 9A.64.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.64.020; amending section 31, chapter 291, Laws of 1977 ex. sess. as amended by section 37, chapter 155, Laws of 1979 and RCW 13.34.030; amending section 34, chapter 291, Laws of 1977 ex. sess. as amended by section 39, chapter 155, Laws of 1979 and RCW 13.34.060; amending section 2, chapter 13, Laws of 1965 as last amended by section 1, chapter 164, Laws of 1981 and RCW 26.44.020; amending section 3, chapter 13, Laws of 1965 as last amended by section 2, chapter 164, Laws of 1981 and RCW 26.44.030; amending section 9, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.056; amending section 6, chapter 13, Laws of 1965 as amended by section 6, chapter 217, Laws of 1975 1st ex. sess. and RCW 26.44.060; amending section 3, chapter 167, Laws of 1971 ex. sess. and RCW 26.44.080; adding a new section to chapter 9A.44 RCW; and prescribing penalties."

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4461 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Addison, Chamberlain, Dickie, Lewis, McGinnis.

Substitute Senate Bill No. 4461 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My voting switch malfunctioned on the vote on Substitute Senate Bill No. 4461. Please let the Journal indicate I intended to vote "Yes."

BRUCE ADDISON, 34th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4708, by Committee on Ways and Means (originally sponsored by Senators Jones, McDermott, Deccio, Bottiger, Benitz and McCaslin - by Horse Racing Commission request):

Implementing laws relating to horse racing.

The bill was read the second time.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken, McDonald and Greengo:

On page 6, after line 16 insert the following new section:

***NEW SECTION.** Sec. 6. There is added to chapter 67.16 RCW a new section to read as follows:

In calculating parimutuel payoff prices and pursuant to RCW 67.16.060(1)(d), a licensee shall deduct the odd cents over any multiple of five cents of winning per dollar wagered. The licensee shall pay this amount weekly to the commission. Upon receipt, the commission shall transmit this amount to the state treasurer for deposit in the state general fund."

Renumber the remaining sections consecutively.

Representatives Van Dyken, Greengo and McDonald spoke in favor of the amendment, and Representatives Patrick, Barrett, Scott, Garson and Bickham spoke against it.

Mr. Greengo spoke again in favor of the amendment, and Representatives Ehlers and Bond spoke against it.

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Lux.

Mr. Lux: "Representative Patrick, you indicated that this goes for health and welfare, and I assume that most of the accidents that would happen around there would be emergencies. Is that true?"

Mr. Patrick: "No, that's not correct, Representative Lux."

Mr. Lux: "Representative Patrick, I'm a friend of the bill and in opposition to the amendment, and what I'm trying to find out is if those folks, who are apparently migrant-types, do get injured or hurt and go to the hospital, it isn't going to be unsponsored care. This money is going to take care of them? Is that what this money is used for?"

Mr. Patrick: "Those benefits, Representative Lux, are for a dental program, a medical program, and, of course, not everything is of an emergency nature, so the answer again is no."

Mr. Van Dyken spoke again in favor of the amendment.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken and others to Engrossed Substitute Senate Bill No. 4708, and the amendment was not adopted by the following vote: Yeas, 14; nays, 81; not voting, 3.

Voting yea: Representatives Becker, Brekke, Clayton, Cole, Ellis, Greengo, Johnson, Lundquist, McDonald, Nelson D., Nisbet, Teutsch, Tupper, Van Dyken.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, McCormick, Mitchell, Monohon, Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Lewis, Maxie, McGinnis.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4708, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Van Dyken.

Not voting: Representatives Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 4708, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND REENGROSSED SENATE BILL NO. 3446, by Senators Lee and Zimmerman:

Revising laws relating to boundary review boards.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, March 1, 1982.)

Mr. Isaacson moved adoption of the committee amendments.

Mr. Eberle moved adoption of the following amendment by Representatives Eberle, Berleen and Pruitt to the committee amendment:

On page 10, after line 4 insert:

"(3) The tax rate of the initial imposition of nonvoter-approved regular property taxes by any city incorporated under this section shall not exceed the lower of either:

(a) Three dollars and thirty-seven and one-half cents per thousand dollars of assessed value; or

(b) The sum of the road district nonvoter-approved regular property tax rate last imposed in the area and the highest sum of nonvoter-approved regular property tax rates last imposed in any area within the city by all the junior taxing districts that have been dissolved as a result of the incorporation."

Re-number the remaining subsections consecutively.

Mr. Eberle spoke in favor of the amendment to the amendment, and Mr. Barrett spoke against it.

MOTION

On motion of Mr. Nelson (G), further consideration of Second Reengrossed Senate Bill No. 3446 was deferred.

ENGROSSED SENATE BILL NO. 4549, by Senators von Reichbauer, Talley and Guess (by Department of Transportation request):

Amending the transportation budget.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4549, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Cole, Ehlers, Nelson D.

Not voting: Representatives Berleen, Lewis, McGinnis, Struthers.

Engrossed Senate Bill No. 4549, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4748, by Senators Benitz, Charnley and Newhouse:

Permitting breweries and wineries to conduct courses in beer and wine.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 24, 1982.)

Mr. Sanders moved adoption of the committee amendment.

On motion of Mr. King (J), the following amendment to the committee amendment was adopted:

On page 3 of the committee amendment, after line 10, insert a new section to read as follows:

*Sec. 3. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010 are each amended to read as follows:

No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest, nor shall any manufacturer, importer, or wholesaler advance moneys or moneys' worth to any such licensed person under any arrangement whatsoever, nor shall any such licensed person receive, under any arrangement whatsoever, any such advance of moneys or moneys' worth. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit an importer, or wholesaler not licensed in this state, or any person financially interested, directly or indirectly, in such importing or wholesaling business from having a financial interest, direct or indirect, in any class A licensed retail business or from owning any of the property upon which such licensed retailer conducts its business as long as the class A licensed retailer does not sell any brand of beer sold or distributed by such importer or wholesaler or produced by such manufacturer doing business with the importer or wholesaler as prescribed by rules adopted by the board under chapter 34.04 RCW.

Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe."

Remember the remaining sections consecutively.

The committee amendment as amended was adopted.

On motion of Mr. King (J), the following amendment to the title was adopted:

On page 1, line 1 of the title after "amending" insert "section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010; amending"

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4748 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Eng.

Not voting: Representatives Ellis, Lewis, McGinnis.

Engrossed Senate Bill No. 4748 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4558, by Senators Quigg, Vognild and Newhouse:

Modifying industrial insurance coverage for owner-operators of trucks.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4558, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Ellis, Hine, Lewis, McGinnis.

Engrossed Senate Bill No. 4558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3946, by Committee on Transportation (originally sponsored by Senator Talley):

Modifying the aircraft fuel excise tax.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass with the following amendment:

On page 3, line 27 after "June 30," strike "1981" and insert "1982"

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

Mr. Prince moved adoption of the following amendment by Representatives Prince, Padden, Amen and Smith:

On page 2, line 35 after "PROVIDED" insert "HOWEVER, That such aircraft fuel excise tax shall not apply to fuel for aircraft that both operate from a private, nonstate-funded airfield during at least ninety-five percent of the aircraft's normal use and are used principally for the application of pesticides, herbicides, or other agricultural chemicals: PROVIDED FURTHER,"

Representatives Prince and Sanders spoke in favor of the amendment, and it was adopted.

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

On page 4, beginning on line 1 strike all material down through line 10 and insert "supplemental air carrier (~~operating under~~) who has obtained a certificate of public convenience and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; (2) the delivery of aircraft by the manufacturer of such aircraft to an air carrier or supplemental air carrier who, at the moment of delivery, has a valid certificate of public convenience and necessity under the provisions of the Federal Aviation Act of 1958, Public Law 85-726, as amended; (3) the operation of aircraft for testing or experimental purposes, including the operation of aircraft in the testing or experimentation of any other aircraft; (~~and (3))~~ (4) the operation of aircraft when such operation is for the training of crews for ((purchasers of aircraft)) certificated air carriers; and (5) the operation of aircraft in the operations of a local service commuter: PROVIDED, That the director's determination as to a particular activity for which aircraft fuel is used as being an exemption under this section, or otherwise, shall be final."

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

Representatives Wilson and Prince spoke in favor of passage of the bill, and Representatives Sprague and Ehlers spoke against it.

Mr. Wilson spoke again in favor of the bill, and Mr. Ehlers again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3946 as amended by the House, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Becker, Bickham, Bond, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, King J., Kreidler, Lundquist, Lux, Martinis, McDonald, Mitchell, Monohon, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Bender, Berleen, Brekke, Brown, Cole, Ehlers, Fiske, Garrett, Houchen, Johnson, Kaiser, King R., Leonard, Maxie, McCormick, Nelson D., Nelson G. A., Nickell, Pruitt, Rinchart, Sherman, Sprague, Stratton, Taylor, Walk.

Not voting: Representatives Ellis, Lewis, McGinnis.

Substitute Senate Bill No. 3946 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4484, by Senators Haley, Charnley, Jones and Craswell:

Establishing commercial zones and terminal areas for trucks.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4484, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Ellis, Lewis, McGinnis.

Engrossed Senate Bill No. 4484, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4571, by Senators Bluechel, Moore and Talley:

Revising procedures for sale of property by port districts.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4571, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Ellis, Lewis, McGinnis.

Senate Bill No. 4571, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3495, by Senators Wilson, Moore and Sellar:

Extending validity of certificates of emergency medical technicians.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3495, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Lewis, McGinnis.

Senate Bill No. 3495, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3927, by Committee on Transportation (originally sponsored by Senators Charnley, Guess and Patterson - by Utilities and Transportation Commission request):

Funding installation of railroad crossing protective devices.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 39th Day, February 18, 1982.)

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3927 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Lewis, McGinnis.

Substitute Senate Bill No. 3927 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4506, by Senators Clarke and Rasmussen (by State Treasurer request):

Authorizing the state treasurer to alter certificate of deposit allocation.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4506, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Lewis, McGinnis.

Senate Bill No. 4506, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND REENGROSSED SENATE BILL NO. 3446:

The House resumed consideration of the bill on second reading.

The Speaker declared the question before the House to be the amendment by Representatives Eberle, Berleen and Pruitt to the committee amendment.

Mr. Eberle spoke in favor of the amendment, and Representatives Kreidler and Isaacson spoke against it.

Mr. Eberle spoke again in favor of the amendment to the amendment, and it was adopted.

The committee amendment as amended was adopted.

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

Mr. Padden spoke against passage of the bill, and Representatives Hine, Barnes and Isaacson spoke in favor of it.

Mr. Padden again opposed the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Reengrossed Senate Bill No. 3446 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 9; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Eng, Kreidler, Leonard, Nickell, Padden, Patrick, Prince, Taylor, Wang.

Not voting: Representatives Lewis, McGinnis.

Second Reengrossed Senate Bill No. 3446 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SENATE BILL NO. 4831 as amended by the House, by Senators Jones, Bottiger, Vognil, Bauer, Quigg and Sellar:

Designating shorelines of state-wide economic significance.

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

Representatives Van Dyken, Brekke, Patrick and Dawson spoke against passage of the bill, and Representatives Barrett, Eberle and King (R) spoke in favor of it.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Sanders, is it your belief that the state Legislature, by enacting this bill, is in the land use planning business?"

Mr. Sanders: "Yes."

POINT OF INQUIRY

Ms. Becker yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Becker, a rezone or a spot zone is an action whereby a small area is singled out of a larger area for special treatment for the private benefit of one company. Is the shoreline identified in your home area in this bill a small area singled out of a larger area?"

Ms. Becker: "Representative Armstrong, it is a stretch of shoreline of about a mile and a half. About four miles on either side of this particular shoreline is land that is zoned conservancy. Except for three piers in an entire nine-mile stretch, which were put in before the shoreline act was passed, there is no fill on the entire nine-mile stretch of shoreline. I think the answer to your question is yes."

Mr. Armstrong: "Will other landowners within the rezoned shoreline area benefit from the rezone?"

Ms. Becker: "Representative Armstrong, in this particular stretch of shoreline that is identified in the bill, there are only two other companies that own land along that particular shoreline. Interestingly enough, the two oil companies that were mentioned earlier are not

among them. The two companies are Intalco and Puget Power, and neither of them have any announced plans to do anything with this new kind of zoning. The fact is that the shoreline is not identified by any particular boundaries. It is just a very small mile and a half stretch of shoreline, and the effect of the bill would be that, whereas people in this shoreline could dredge and fill to build oil drilling rigs, their next door neighbors on either side of them would not be able to do that."

Mr. Armstrong: "Would we be considering this bill if it were not for CBI, and the jobs they are promising?"

Ms. Becker: "Representative Armstrong, I think the only justification being held out here for this change in zoning is the promise of jobs. Even though there is a rule that says you must have changed conditions in order to justify a change in zoning, there are no changed conditions here. The company in question was well aware of the zoning that existed before they pursued this project and no conditions have changed."

Mr. Armstrong spoke against passage of the bill.

POINT OF PERSONAL PRIVILEGE

Mr. King (R): "I make this point in terms of the concept of 'Group Privilege.' Normally, legislative intent can sometimes be read into the record by a series of questions and answers between members, but that is usually done between the proponents of the measure. I simply want to point out, and I think I'm doing so on behalf of a majority of the members in this body at the moment, that we've just heard a series of questions that occurred between people who oppose the measure before us and which would, in no sense, represent legislative intent."

POINT OF INQUIRY

Mr. Isaacson yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Isaacson, I'm intrigued by the subject matter that has been brought up within the last few minutes. As Chairman of the Local Government Committee of the House of Representatives, do you feel this bill creates spot zoning by this Legislature?"

Mr. Isaacson: "Representative Barrett, I don't see in any way how this can be construed as spot zoning. Engrossed Senate Bill No. 4831 is not spot zoning. I would like to refer to the words of Representative Van Dyken, quoting from Smith versus Skagit County last night: 'Spot zoning has come to mean arbitrary and unreasonable action by which a small area is singled out of a larger area or district and specially zoned for use classification totally different from an inconsistent list of classifications of the surrounding lands and not in accordance with a comprehensive plan.' In this case, the court was talking about a rezone by the Skagit County commissioners, not an action of the legislature, which designated a 470 acre tract in the middle of 5,500 acres on Guemas Island from resident-recreational to heavy industrial for an aluminum plant. Let's look a little more closely at what Representative Van Dyken told us. It is not the fact that a smaller area is differentiated from a larger one that makes spot zoning; it is the fact that the action must be arbitrary and capricious. The designation must be totally different and inconsistent with the classifications of the surrounding lands. This is what classifies an action as spot zoning."

"Engrossed Senate Bill 4831 represents a totally different set of facts and circumstances. Cherry Point is Whatcom County's heavy industrial zoned area. The dike we're talking about is situated between the aluminum plant and an oil refinery as has been discussed, each with a landfill and a long pier. Nearby is another oil refinery, probably owned by railroad, power companies and other oil companies. For as long as they have been planning and zoning Whatcom County, this has been the heavy industrial area. It was the act of the Legislature in 1971 that led to a conservancy area being established in an industrial site of state and regional economic significance. Cherry Point has all the factors for attracting large industries: Transcontinental railways, wholesale power, available land, all rezoned for heavy industry, abundant water supply, a nearby interstate freeway, available natural gas, and most importantly, a sheltered deep water area characterized by a nonmarshy natural cut. The work force is skilled and productive, and the climate is mild. There are vocational community colleges and higher education facilities available for training entry level personnel—"

POINT OF ORDER

Ms. Rinehart: "Mr. Speaker, I believe the Representative is reading material without permission of the body."

SPEAKER'S RULING

The Speaker: "Representative Rinehart, the rule states that you may not read papers without consent of the House, and that has been generally construed to mean a text that you might read into the record, such as might happen with a congressional record or something. The members may use their own notes to reference. Representative Isaacson, if you can just refer to your notes without reading verbatim it would be appreciated."

POINT OF ORDER

Mr. Warnke: "Mr. Speaker, the gentlemen is now giving a speech and not answering the question that had been directed to him."

SPEAKER'S RULING

The Speaker: "The remarks that I was understanding, Representative Warnke, were in relation to the question of whether it constituted spot zoning and, as I understood the remarks, he was responding as to why it doesn't consist of spot zoning in relation to Representative Van Dyken's reference last evening as to what does constitute spot zoning."

Mr. Isaacson: "I would like to continue my answer. Schools and colleges are available for personnel to train them for higher skills, and right now, Whatcom County has over thirteen percent unemployed. In summary, the designation is not a spot zone because these shorelines are designated as shorelines of economic significance. This definition is consistent with the surrounding land, the adjacent areas. This benefits the greater good of the community, as we have discussed, and besides that, it just makes good sense."

Representatives Ellis, Valle and Hine spoke against passage of the bill, and Representatives Brown and Garson spoke in favor of it.

POINT OF INQUIRY

Mr. Lundquist yielded to question by Mr. Garson.

Mr. Garson: "Representative Lundquist, do you know of any landfills that are now in this area that we've been discussing this evening?"

Mr. Lundquist: "Yes, Representative Garson, there are substantial landfills in that particular area right now. I've been by them in my gillnet boat and I've looked at them. They are there because Whatcom County had zoned that portion of their county for industrial development, providing an industrial development that would have water access. That was the point of the landfills that are there. If you would like to know the size of them, I can certainly give you better than a visual inspection. This is testimony that was given in the hearing in Whatcom County: There is a landfill near the Lummi Indian agriculture project, 700 acres of marine environment, 17,000 feet long, 25 acres of intertidal marine habitat, 700 acres and 7,000 feet of conservancy shorelines was involved in this. The developments that are there, the pier that we are talking about is a mobile dock which is on the end of a 500x300 foot landfill. There is an Intalco dock, which is on the end of an 800x250 foot landfill. The Sandy Point Marina which required 55 acres, and one million yards of intertidal and shore area. There are others, but I think that establishes the fact that there are some landfills in that area now."

Mr. Garson continued his remarks in favor of the bill.

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

Mr. Hastings demanded an oral roll call vote and the demand was sustained.

Representatives Warnke, Cole, Nisbet and Becker spoke against the bill, and Representatives Fancher and Bender spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4831 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ehlers, Fancher, Fiske, Flanagan, Gallagher, Garson, Hankins, Hastings, Houchen, Isaacson, James, King J., King R., Leonard, Lundquist, McCormick, Mitchell, Nelson G. A., Nickell, O'Brien, Owen, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Thompson, Tilly, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Berleen, Brekke, Burns, Cole, Dawson, Ellis, Eng, Erak, Galloway, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, Kreidler, Lux, Martinis, Maxie, McDonald, Monohon, Nelson D., Nisbet, North, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Taylor, Teutsch, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke.

Not voting: Representatives Lewis, McGinnis.

Engrossed Senate Bill No. 4831 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), Engrossed Senate Bill No. 4831 as amended by the House was ordered immediately transmitted to the Senate.

MESSAGES FROM THE SENATE

March 4, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3044,
SENATE CONCURRENT RESOLUTION NO. 142,

and the same are herewith transmitted.

Marilyn Brachtenbach, Secretary.

March 5, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4663,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3044, by Committee on Ways and Means (originally sponsored by Senators Sellar and Talley):

Authorizing the department of revenue to set the county auditors fee for collecting vehicle use tax.

To Committee on Revenue

ENGROSSED SUBSTITUTE SENATE BILL NO. 4663, by Committee on Natural Resources (originally sponsored by Senator Gallagher):

Modifying the the state timber sales program.

To Committee on Natural Resources and Environmental Affairs

SENATE CONCURRENT RESOLUTION NO. 142, by Senator Guess:

State comprehensive emergency management program.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills and the resolution listed on the supplemental agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

March 5, 1982

HOUSE BILL NO. 1141, Prime Sponsor: Representative Armstrong, providing for the establishment of export assistance centers. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill by Committee on Labor and Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Thompson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

HOUSE BILL NO. 1228, Prime Sponsor: Committee on Appropriations – General Government, modifying provisions relating to public employee productivity in times of financial crises. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 31 strike "agencies" and insert "districts"

On page 5, after line 29 insert the following:

"NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 6 of the title after "RCW;" strike "and" and on line 8 after "sess." insert "and declaring an emergency"

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Ellis, McGinnis, Rosbach, Chandler, Chairman, Committee on Ways and Means.

Voting nay: Representatives Fiske, Vice Chairman; Barnes, Kaiser, King (J), Maxie, Monohon.

Changing vote from Nay to Aye: Representative Fiske, Vice Chairman.

Not attending: Representative Thompson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

HOUSE CONCURRENT RESOLUTION NO. 41, Prime Sponsor: Representative Hastings, providing for the liquidation of certain surplus state property. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: The substitute resolution be substitute therefor and the substitute resolution do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Not attending: Representative Thompson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4200, Prime Sponsor: Committee on State Government, revising the law on public works. Reported by Select Committee on Deregulation and Productivity.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 183, Laws of 1923 as amended by section 1, chapter 177, Laws of 1977 ex. sess. and RCW 39.04.010 are each amended to read as follows:

The term state shall include the state of Washington and all departments, supervisors, commissioners and agencies thereof.

The term municipality shall include every city, county, town, district or other public agency thereof which is authorized by law to require the execution of public work, except drainage districts, diking districts, diking and drainage improvement districts, drainage improvement districts, diking improvement districts, consolidated diking and drainage improvement districts, consolidated drainage improvement districts, consolidated diking improvement districts, irrigation districts or any such other districts as shall from time to time be authorized by law for the reclamation or development of waste or undeveloped lands.

The term public work shall include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein, but nothing herein shall apply to the construction, alteration, repair, or improvement of any municipal street railway system. All public works, including maintenance when performed by contract shall comply with the provisions of RCW 39.12.020.

The term contract shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded after advertisement and competitive bid. However, a contract which is awarded from a small works roster under the authority of section 2 of this 1982 act need not be advertised.

Cost of superintendence, engineering, clerical and accounting service shall include all expenditures specially incurred for such service, and shall include a proportionate charge for the time of all salaried officers, engineers, clerks, accountants and employees of the state or municipality while engaged in such work or in keeping or preparing the estimates, accounts and records thereof.

NEW SECTION. Sec. 2. There is added to chapter 39.04 RCW a new section to read as follows:

(1) As used in this section, 'agency' means the department of general administration, the department of fisheries, the department of game, and the state parks and recreation commission.

(2) In addition to any other power or authority that an agency may have, each agency, alone or in concert, may establish a small works roster consisting of all qualified contractors who have requested to be included on the roster.

(3) The small works roster may make distinctions between contractors based on the geographic areas served and the nature of the work the contractor is qualified to perform. At least once every year, the agency shall advertise in a newspaper of general circulation the existence of the small works roster and shall add to the roster those contractors who request to be included on the roster.

(4) Construction, repair, or alteration projects estimated to cost less than twenty-five thousand dollars are exempt from the requirement that the contracts be awarded after advertisement and competitive bid as defined by RCW 39.04.010. In lieu of advertisement and competitive bid, the agency shall solicit at least five quotations, confirmed in writing, from the contractors on the small works roster and shall award the work to the party with the lowest quotation or reject all quotations. If the agency is unable to solicit quotations from five qualified contractors on the small works roster for a particular project, then the project shall be advertised and competitively bid. The agency shall solicit quotations randomly from contractors on the small works roster in a manner which will equitably distribute the opportunity for these contracts among contractors on the roster: PROVIDED, That whenever possible, the agency shall invite at least one proposal from a minority contractor who shall otherwise qualify to perform such work. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone request.

(5) The breaking down of any public work or improvement into units or accomplishing any public work or improvement by phases for the purpose of avoiding the minimum dollar amount for bidding is contrary to public policy and is prohibited.

(6) The director of general administration shall adopt by rule a procedure to prequalify contractors for inclusion on the small works roster. Each agency shall follow the procedure adopted by the director of general administration. No agency shall be required to make available for public inspection or copying under chapter 42.17 RCW financial information required to be provided by the prequalification procedure.

(7) An agency may adopt by rule procedures to implement this section which shall not be inconsistent with the procedures adopted by the director of the department of general administration pursuant to subsection (6) of this section.

Sec. 3. Section 43.19.450, chapter 8, Laws of 1965 as amended by section 63, chapter 136, Laws of 1981 and RCW 43.19.450 are each amended to read as follows:

The director of general administration shall appoint and deputize an assistant director to be known as the supervisor of engineering and architecture who shall have charge and supervision of the division of engineering and architecture. With the approval of the director ((he)), the supervisor may appoint and employ such assistants and personnel as may be necessary to carry out the work of the division.

No person shall be eligible for appointment as supervisor of engineering and architecture unless he is(;) licensed to practice the profession of engineering or the profession of architecture in the state of Washington and for the last five years prior to his appointment has been(;) licensed to practice the profession of engineering or the profession of architecture ((in the state of Washington)).

As used in this section, 'state facilities' includes all state buildings, related structures, and appurtenances constructed for any elected state officials, institutions, departments, boards, commissions, colleges, community colleges, except the state universities, The Evergreen State College and regional universities. 'State facilities' does not include facilities owned by or used for operational purposes and constructed for the department of transportation, department of fisheries, department of game, department of natural resources, or state parks and recreation commission.

The director of general administration, through the division of engineering and architecture shall:

(1) ((Establish a systematic building program for the grouping of buildings at the state capital, at institutions under the control of the department of social and health services and the department of corrections, and for state agencies which have no architectural staff, and prepare preliminary layouts, site studies, programs and topographical plans to accompany the estimates for the biennial budgets)) Prepare cost estimates and technical information to accompany the capital budget and prepare or contract for plans and specifications for new construction and major repairs and alterations to state facilities.

(2) Contract for professional architectural, engineering, and related services for the design of ((buildings)) new state facilities and major repair or alterations to existing ((buildings at the state capital, at institutions under the control of the department of social and health services and the department of corrections, and for all state-owned buildings for agencies which have no architectural staff)) state facilities.

(3) ~~((Prepare estimates for the biennial budget and prepare plans and specifications for all necessary maintenance, repairs, and minor alterations to the state capitol buildings, all buildings required at the institutions under the control of the department of social and health services and the department of corrections, and for all other state-owned buildings for agencies which have no architectural staff.~~

~~(4) Supervise the erection, repairing and betterment of all capitol buildings, all buildings required for the institutions under the control of the department of social and health services and the department of corrections, and all other state-owned buildings for agencies which have no architectural staff)) Provide contract administration for new construction and the repair and alteration of existing state facilities.~~

~~((5) Negotiate and/or call for bids and execute all contracts)) (4) In accordance with the public works laws, contract on behalf of the state for the ~~((preceding))~~ new construction and major repair or alteration of state facilities.~~

The director may delegate any and all of the functions under subsections (1) through (4) of this section to any agency upon such terms and conditions as considered advisable.

The director may delegate the authority granted to the department under section 2 of this 1982 act to any agency upon such terms as considered advisable.

Sec. 4. Section 2, chapter 183, Laws of 1923 as last amended by section 2, chapter 230, Laws of 1975 1st ex. sess. and RCW 39.04.020 are each amended to read as follows:

Whenever the state, or any municipality shall determine that any public work is necessary to be done it shall cause plans and/or specifications thereof and an estimate of the cost of such work to be made and filed in the office of the director, supervisor, commissioner, trustee, board or agency having by law the authority to require such work to be done. The plans, specifications, and estimates of cost shall be approved by the director, supervisor, commissioner, trustee, board, or agency and the original draft or a certified copy filed in such office before further action is taken.

If the state, or such municipality shall determine that it is necessary or advisable that such work shall be executed by any means or method other than by contract, and it shall appear by such estimate that the probable cost of executing such work will exceed the sum of twenty-five hundred dollars, or twenty-five thousand dollars if such work is let from a small works roster created pursuant to section 2 of this 1982 act, then the state or such municipality shall at least fifteen days before beginning work cause such estimate, together with a description of the work, to be published at least once in a legal newspaper of general circulation published in or as near as possible to that part of the county in which such work is to be done: PROVIDED, That when any emergency shall require the immediate execution of such public work, upon a finding of the existence of such emergency by the authority having power to direct such public work to be done and duly entered of record, publication of description and estimate may be made within seven days after the commencement of the work.

Sec. 5. Section 1, chapter 207, Laws of 1909 as last amended by section 23, chapter 278, Laws of 1975 1st ex. sess. and RCW 39.08.010 are each amended to read as follows:

Whenever any board, council, commission, trustees, or body acting for the state or any county or municipality or any public body shall contract with any person or corporation to do any work for the state, county, or municipality, or other public body, city, town, or district, such board, council, commission, trustees, or body shall require the person or persons with whom such contract is made to make, execute, and deliver to such board, council, commission, trustees, or body a good and sufficient bond, with two or more sureties, or with a surety company as surety, conditioned that such person or persons shall faithfully perform all the provisions of such contract and pay all laborers, mechanics, and subcontractors and materialmen, and all persons who ~~((shall))~~ supply such person or persons, or subcontractors, with provisions and supplies for the carrying on of such work, which bond ~~((shall be filed with the county auditor of the county where such work is performed or improvement made, except))~~ in cases of cities and towns ~~((in which cases such bond))~~ shall be filed with the clerk or comptroller thereof, and any person or persons performing such services or furnishing material to any subcontractor shall have the same right under the provisions of such bond as if such work, services or material was furnished to the original contractor: PROVIDED, HOWEVER, That the provisions of RCW 39.08.010 through 39.08.030 shall not apply to any money loaned or advanced to any such contractor, subcontractor or other person in the performance of any such work: PROVIDED FURTHER, That on contracts of ~~((two))~~ twenty-five thousand dollars or less, at the option of the contractor the respective public entity may, in lieu of the bond, retain ~~((one hundred))~~ fifty percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the department of revenue and the department of labor and industries and settlement of any liens filed under chapter 60.28 RCW, whichever is later.

Signed by Representatives Williams, Chairman; James, Vice Chairman; McGinnis, Monohon.

Not attending: Representative King (R), Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

SUBSTITUTE SENATE BILL NO. 4201, Prime Sponsor: Senator Clarke, regulating the valuation of insurance and nonforfeiture of life insurance. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 43, after line 5 insert the following:

***NEW SECTION.** Sec. 35. The commissioner shall by regulation establish the amount of the filing fee for filing insurance rates and forms. In fixing said fee, which shall not exceed twenty dollars per filing, the commissioner shall, insofar as practicable, fix the fee in such a manner that the income will match the anticipated expenses to be incurred in connection with the regulation of rates and forms filings as required by statute: **PROVIDED**, That during the first fiscal year of operation, the fees shall be set at such a level as to produce a surplus of the amount of two month's estimated expenditures which shall be maintained on a continuing basis. Revenues collected shall be deposited in the insurance regulatory fund, shall be separately accounted for and shall be available only for the costs associated with the regulation of rates and forms filings.

NEW SECTION. Sec. 36. There is created the insurance regulatory fund as a local fund which shall consist of all moneys specified by statute to be deposited therein, and which shall be used for the purchase of supplies and necessary equipment and the payment of salaries, wages, utilities and other incidental costs required for the regulation of rates and forms filings in the insurance commissioner's office. The state treasurer shall be custodian of the fund. Disbursements from the fund shall be on authorization of the insurance commissioner or his designee. In order to maintain an effective expenditure and revenue control, the fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

NEW SECTION. Sec. 37. Sections 35 and 36 of this act shall terminate on June 30, 1985.*

Renumber the remaining sections consecutively.

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Barnes, Ellis, Kaiser, Maxie, McGinnis, Monohon, Rosbach.

Voting nay: Representative King (J).

Not attending: Representative Thompson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

SUBSTITUTE SENATE BILL NO. 4605, Prime Sponsor: Committee on Ways and Means, authorizing the department of revenue to contract for out-of-state auditing services. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Becker, Greengo, Nisbet, Thompson, Warnke, Williams.

Not attending: Representatives Sommers, Ranking Minority Member; McDonald.

Passed to Committee on Rules for second reading.

March 5, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4786, Prime Sponsor: Committee on Social and Health Services, modifying the community mental health services act. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. This chapter may be known and cited as the community mental health services act.

NEW SECTION. Sec. 2. It is the intent of the legislature to establish a community mental health program which provides for:

(1) Access to mental health services for residents of the state who are acutely mentally ill, seriously disturbed, or chronically mentally ill, which services recognize the special needs of underserved populations, including minorities, children, the elderly, disabled, and low-income persons;

(2) Accountability of services through state-wide standards for management, monitoring, and reporting of information;

(3) Minimum service delivery standards;

(4) Priorities for the use of available resources for the care of the mentally ill; and

(5) Coordination of services within the department and among state mental hospitals, county authorities, community mental health services, and other support services, which may also include the families of the mentally ill.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Acutely mentally ill' means a condition which is limited to a short-term severe crisis episode of: (a) A mental disorder as defined in RCW 71.05.020(2); (b) being gravely disabled as defined in RCW 71.05.020(1); or (c) presenting a likelihood of serious harm as defined in RCW 71.05.020(3).

(2) 'Available resources' means those funds which shall be appropriated under this chapter by the legislature during any biennium for the purpose of providing community mental health programs under section 5 of this act.

(3) 'Licensed service provider' means an entity licensed by the department according to state minimum standards or individuals licensed under chapter 18.71, 18.83, or 18.88 RCW.

(4) 'Chronically mentally ill person' means a person who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years;

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. 'Substantial gainful activity' shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(5) 'Community mental health program' means all mental health services established by a county authority.

(6) 'County authority' means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(7) 'Department' means the department of social and health services.

(8) 'Mental health services' means community services pursuant to section 4(4)(b) of this act and other services provided by the state for the mentally ill.

(9) 'Mentally ill persons' and 'the mentally ill' mean persons and conditions defined in subsections (1), (4), and (11) of this section.

(10) 'Residential services' means a facility or distinct part thereof which provides food, clothing, and shelter, and may include day treatment services as defined in section 5 of this act, for acutely mentally ill, chronically mentally ill, or seriously disturbed persons as defined in this section. Such facilities include, but are not limited to, congregate care facilities providing mental health client services as stipulated by contract with the department beginning January 1, 1982.

(11) 'Seriously disturbed person' means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or others as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a minor child diagnosed by a mental health professional, as defined in RCW 71.05.020, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(12) 'Secretary' means the secretary of social and health services.

(13) 'State minimum standards' means: (a) Minimum requirements for management and delivery of mental health services as established by departmental rules and necessary to implement this chapter, including but not limited to county administration, licensing service providers, information, accountability, contracts, and services; and (b) minimum service requirements for licensed service providers for the provision of mental health services as established by departmental rules pursuant to chapter 34.04 RCW as necessary to implement this chapter, including, but not limited to: Qualifications for staff providing services directly to mentally ill persons; the intended result of each service for those priority groups identified in section 4(4)(b) of this act; and the rights and responsibilities of persons receiving mental health services pursuant to this chapter.

NEW SECTION. Sec. 4. (1) The department is designated as the state mental health authority.

(2) The secretary may provide for public, client, and licensed service provider participation in developing the state mental health program.

(3) The secretary shall be designated as the county authority if a county fails to meet state minimum standards or refuses to exercise responsibilities under section 5 of this act.

(4) The secretary shall:

(a) Develop a biennial state mental health program that incorporates county biennial needs assessments and county mental health service plans and state services for the mentally ill. The secretary may also develop a six-year state mental health plan;

(b) Assure that any county community mental health program provides access to treatment for the county's residents in the following order of priority: (i) The acutely mentally ill; (ii) the chronically mentally ill; and (iii) the seriously disturbed. Such programs shall provide:

(A) Outpatient services;

(B) Emergency care services for twenty-four hours per day;

(C) Day treatment for mentally ill persons which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment;

(D) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of admission;

(E) Consultation and education services; and

(F) Community support services for acutely and chronically mentally ill persons which include: (1) Discharge planning for clients leaving state mental hospitals and other acute care inpatient facilities; (2)

sufficient contacts with clients, families, or significant others to provide for an effective program of community maintenance; and (III) medication monitoring.

(c) Develop and promulgate rules establishing state minimum standards for the management and delivery of mental health services including, but not limited to:

- (i) Licensed service providers;
- (ii) County administration;
- (iii) Information required to assure accountability of services delivered to the mentally ill; and
- (iv) Residential and inpatient services, if a county chooses to provide such optional services;

(d) Assure coordination of services consistent with state minimum standards for individuals who are released from a state hospital into the community to assure a continuum of care;

(e) Assure that the special needs of minorities, children, the elderly, disabled, and low-income persons are met within the priorities established in section 4(4)(b) of this act;

(f) Establish a standard contract or contracts, consistent with state minimum standards, which shall be used by the counties;

(g) Establish, to the extent possible, a standardized auditing procedure which minimizes paperwork requirements of county authorities and licensed service providers;

(h) Develop and maintain an information system to be used by the state and counties which shall include a tracking method which allows the department to identify mental health clients' participation in any mental health service or public program. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in RCW 71.05.390, 71.05.400, 71.05.410, 71.05.420, 71.05.430, and 71.05.440;

- (i) License service providers who meet state minimum standards;

(j) Establish criteria to evaluate the performance of counties in administering mental health programs as established under this chapter. Evaluation of community mental health services shall include all categories of illnesses treated, all types of treatment given, the number of people treated, and costs related thereto; and

(k) Prior to September 1, 1982, adopt such rules as are necessary to implement this chapter pursuant to chapter 34.04 RCW: PROVIDED, That such rules shall be submitted to the appropriate committees of the legislature for review and comment prior to adoption.

(5) The secretary shall use available resources appropriated specifically for community mental health programs only for programs under section 5 of this act.

(6) The department shall propose in its biennial budget document the formulas used to distribute available resources to county authorities for the priorities listed in subsection (4)(b) of this section. The formula shall be based on the needs assessment required by section 5(1) of this act.

NEW SECTION. Sec. 5. The county authority shall:

(1) Submit biennial needs assessments beginning January 1, 1983, and mental health service plans which incorporate all services provided for by the county authority consistent with state minimum standards and which provide access to treatment for the county's residents who are acutely mentally ill, chronically mentally ill, or seriously disturbed. The county program shall provide:

- (a) Outpatient services;
- (b) Emergency care services for twenty-four hours per day;
- (c) Day treatment for mentally ill persons which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment;
- (d) Screening for patients being considered for admission to state mental health facilities to determine appropriateness of admission;
- (e) Consultation and education services;
- (f) Residential and inpatient services, if the county chooses to provide such optional services; and

(g) Community support services for acutely and chronically mentally ill persons which include: (i) Discharge planning for clients leaving state mental hospitals and other acute care inpatient facilities; (ii) sufficient contacts with clients, families, or significant others to provide for an effective program of community maintenance; and (iii) medication monitoring.

The county shall develop the biennial needs assessment based on clients to be served, services to be provided, and the cost of those services, and may include input from the public, clients, and licensed service providers. Each county authority may appoint a county mental health advisory board which shall review and provide comments on plans and policies developed by the county authority under this chapter. The composition of the board shall be broadly representative of the demographic character of the county and the mentally ill persons served therein. Length of terms of board members shall be determined by the county authority;

(2) Contract as needed with licensed service providers. The county authority may operate as a licensed service provider if it deems that doing so is more effective and cost-efficient than contracting for services;

(3) Monitor and perform biennial fiscal audits of licensed service providers who have contracted with the county to provide services required by this chapter. The monitoring and audits shall be performed by means of a formal process which insures that the licensed service providers and professionals designated in this subsection meet the terms of their contracts, including the minimum standards of management and service delivery as established by the department;

(4) Assure that the special needs of minorities, children, the elderly, disabled, and low-income persons are met within the priorities established in section 4(4)(b) of this act;

- (5) Maintain patient tracking information in a central location for the chronically mentally ill;

(6) Use not more than two percent of state-appropriated community mental health funds, which shall not include federal funds, to administer community mental health programs under section 9 of this act: PROVIDED, That county authorities serving a county or combination of counties whose population is equal to or greater than that of a county of the first class may be entitled to sufficient state-appropriated community mental health funds to employ up to one full-time employee or the equivalent thereof in addition to the two percent limit established in this subsection when such employee is providing staff services to a county mental health advisory board; and

(7) Coordinate services for individuals who have received services through the community mental health system and who become patients at a state mental hospital.

Sec. 6. Section 3, chapter 111, Laws of 1967 ex. sess. as last amended by section 5, chapter 155, Laws of 1973 1st ex. sess. and RCW 71.24.030 are each amended to read as follows:

The secretary is authorized, pursuant to ~~((the provisions of))~~ this chapter and the rules ~~((and regulations))~~ promulgated to effectuate its purposes, to make grants to ~~((assist))~~ counties or combinations of counties in the establishment and operation of community mental health programs ~~((to provide one or more of the following services:~~

(1) ~~Outpatient diagnostic and treatment services.~~

(2) ~~Inpatient psychiatric services.~~

(3) ~~Rehabilitation services for patients with psychiatric illnesses.~~

(4) ~~Informational services to the general public and educational services furnished by qualified mental health personnel to schools, courts, health agencies, welfare agencies, probation departments and other appropriate public or private agencies or groups.~~

(5) ~~Consultant services to public or private agencies for the promotion and coordination of services that preserve mental health and for the early recognition and management of conditions that might develop into psychiatric illnesses.~~

(6) ~~Inpatient or outpatient care, treatment or rehabilitation services of persons using controlled substances in violation of chapter 69.50 RCW.~~

(7) ~~Such services as are set forth in subsection (4) which pertain to the education and information about and prevention of problems of drug abuse.~~

Such inservice training as may be necessary in providing any of the foregoing services shall be proper items of expenditure in connection therewith).

Sec. 7. Section 10, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.100 are each amended to read as follows:

Any agreement between ~~((the board of commissioners of))~~ two or more ~~((counties;))~~ county authorities for the establishment of a community mental health program shall provide:

(1) That each county shall bear a share of the cost of mental health services~~((;))~~; and

(2) That the treasurer of one participating county shall be the custodian of funds made available for the purposes of such mental health services, and that the treasurer may make payments from such funds upon audit by the appropriate auditing officer of the county for which he is treasurer.

Sec. 8. Section 11, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.110 are each amended to read as follows:

Such agreement for the establishment of a community mental health program may also provide:

(1) For the joint supervision or operation of services and facilities or for the supervision or operation of service and facilities by one participating county under contract for the other participating counties~~((;))~~; and

(2) ~~((For the appointments of members of the community mental health program administrative board between or among participating counties.~~

(3) ~~That for specified purposes, officers and employees of a community mental health program shall be considered to be officers and employees of one participating county only.~~

~~((4))~~ For such other matters as are necessary or proper to effectuate the purposes of this chapter.

NEW SECTION. Sec. 9. Grants shall be made by the department to counties for community mental health programs totaling not less than ninety-five percent of available resources. The department may use up to forty percent of the remaining five percent to provide community demonstration projects and the remainder shall be for emergency needs and technical assistance under this chapter. The department shall provide a biennial accounting of the use of these funds to the ways and means committees of the senate and the house of representatives.

Sec. 10. Section 16, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.160 are each amended to read as follows:

The ~~((board or boards of county commissioners))~~ county authority shall make satisfactory showing to the ~~((director that all increases in state matching funds distributed under the provisions of this chapter shall be used for expansion of existing services or for developing new services, and that such state matching))~~ secretary that state funds shall in no case be used to replace local funds from any source being used to finance mental health services prior to ((the effective date of this chapter)) January 1, 1982.

NEW SECTION. Sec. 11. Clients receiving mental health services funded by available resources shall be charged a fee under sliding-scale fee schedules, based on ability to pay, approved by the department. Fees shall not exceed the actual cost of care.

Sec. 12. Section 22, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.220 are each amended to read as follows:

The ~~((director))~~ secretary may withhold state ~~((reimbursement))~~ grants in whole or in part for any community mental health program in the event of a failure to comply with ~~((the provisions of))~~ this chapter

or regulations made by the department pursuant thereto relating to the community mental health program or the administration thereof.

Sec. 13. Section 24, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.240 are each amended to read as follows:

In order to establish eligibility for funding under this chapter, any county or counties seeking to obtain federal funds for the support of any aspect of a community mental health program as defined in this chapter shall submit program plans to the (~~director~~) secretary for prior review and approval before such plans are submitted to any federal agency.

Sec. 14. Section 25, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.250 are each amended to read as follows:

The (~~board or boards of county commissioners are authorized to~~) county authority may accept and expend gifts and grants received from private, county, state, and federal sources.

Sec. 15. Section 5, chapter 50, Laws of 1970 ex. sess. as amended by section 170, chapter 141, Laws of 1979 and RCW 72.01.454 are each amended to read as follows:

(1) The secretary may permit the use of the facilities of any state institution by any community service organization, nonprofit corporation, group or association for the purpose of conducting a program of education, training, entertainment or other purpose, for the residents of such institutions, if determined by the secretary to be beneficial to such residents or a portion thereof.

(2) The secretary may permit the nonresidential use of the facilities of any state institution by any county, community service organization, nonprofit corporation, group or association for the purpose of conducting programs under RCW 72.06.070.

NEW SECTION. Sec. 16. There is added to chapter 74.04 RCW a new section to read as follows:

Persons eligible for general assistance under RCW 74.04.005 are eligible for mental health services to the extent that they meet the client definitions and priorities established by this chapter.

Sec. 17. Section 1, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.010 are each amended to read as follows:

It is the purpose of this chapter (~~and RCW 71.24.020 and 71.24.030~~) to provide the financial assistance necessary to enable the department of social and health services to offer a meaningful program of rehabilitation for those persons suffering problems related to narcotic drugs, dangerous drugs, and alcohol and to develop a community educational program as to those problems for the benefit of the state's population generally. Such programs can develop in the people of this state a knowledge of the problems caused by alcohol and drug abuse, an acceptance of responsibility for alcohol and drug related problems, an understanding of the causes and consequences of the use and abuse of alcohol and drugs, and thus may prevent many problems from occurring.

It is the further purpose of this chapter (~~and RCW 71.24.020 and 71.24.030~~) to provide for qualified drug treatment centers approved by the department of social and health services.

Sec. 18. Section 2, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.020 are each amended to read as follows:

The following words and phrases shall have the following meaning when used in this chapter (~~and RCW 71.24.020 and 71.24.030~~):

- (1) 'Secretary' shall mean the secretary of the department of social and health services.
- (2) 'Department' shall mean the department of social and health services.
- (3) 'Drug and alcohol rehabilitation program' shall mean the program developed by the department of social and health services to aid persons suffering problems related to narcotic drugs, dangerous drugs, and alcohol.
- (4) 'Drug and alcohol educational program' shall mean the program developed by the department of social and health services outside of the kindergarten through twelve programs in the schools to educate the people of this state relative to the use and abuse of narcotic drugs, dangerous drugs and alcohol, and the prevention and consequences thereof.
- (5) 'Drug treatment center' shall mean any organization, institution, or corporation, public or private, engaged in the care, treatment, or rehabilitation of persons using narcotic drugs or dangerous drugs.

Sec. 19. Section 4, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.040 are each amended to read as follows:

The secretary shall establish within the department a program designed to aid and rehabilitate persons suffering from problems relating to narcotic drugs, dangerous drugs, and alcohol. Without duplicating, and in coordination with the programs established by the state superintendent of public instruction, the secretary shall establish community educational programs outside of the kindergarten through twelve programs in the schools relating to alcohol and drug use and abuse. The secretary is authorized to promulgate rules and regulations pursuant to chapter 34.04 RCW to carry out the provisions and purposes of this chapter (~~and RCW 71.24.020 and 71.24.030~~) and is authorized to contract, cooperate and coordinate with other public or private agencies or individuals for such purposes.

Sec. 20. Section 5, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.050 are each amended to read as follows:

Pursuant to the provisions of the Interlocal Cooperation Act, chapter 39.34 RCW, the department may enter into agreements as provided therein to accomplish the purposes of this chapter (~~and RCW 71.24.020 and 71.24.030~~).

Sec. 21. Section 8, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.060 are each amended to read as follows:

Any person fourteen years of age or older may give consent for himself to the furnishing of counseling, care, treatment or rehabilitation by an approved drug treatment center or person licensed or certified by the state related to conditions and problems caused by drug or alcohol abuse. Consent of the parent, parents, or legal guardian of a person less than eighteen years of age shall not be necessary to authorize such care, except that such person shall not become a resident of such treatment center without parental permission. The parent, parents or legal guardian of a person less than eighteen years of age shall not be liable for payment of care for such persons pursuant to this chapter ((and RCW 71.24.020 and 71.24.030)), unless they have joined in the consent to such counseling, care, treatment or rehabilitation.

Sec. 22. Section 9, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.070 are each amended to read as follows:

When an individual submits himself for care, treatment, counseling, or rehabilitation to any organization, institution or corporation, public or private, approved pursuant to this chapter ((and RCW 71.24.020 and 71.24.030)), or any person licensed or certified by the state whose principal function is the care, treatment, counseling or rehabilitation of alcohol abusers or users of narcotic or dangerous drugs, or the providing of medical, psychological or social counseling or treatment, notwithstanding any other provision of law, such individual is hereby guaranteed confidentiality. No such person, organization, institution or corporation or their agents acting in the scope and course of their duties, providing such care, treatment, counseling or rehabilitation shall divulge nor shall they be required to provide any specific information concerning individuals being cared for, treated, counseled or rehabilitated, nor shall pharmacists or their agents provide such information when or if they become aware of or receive such information when requested to or for the purpose of providing products or performing services relevant to said care, treatment, counseling or rehabilitation. Should any person, organization, institution or corporation, or their agents, breach confidentiality as provided for in this section, such information and any product thereof shall not be admissible as evidence or be considered in any criminal proceeding. The fact of an individual of authorized age being cared for, treated, counseled or rehabilitated pursuant to this chapter ((and RCW 71.24.020 and 71.24.030)) shall likewise be held confidential and shall not be admissible as evidence or be considered in any criminal proceeding.

Any confidentiality provided for by this section may be waived by the individual, provided such waiver is freely and voluntarily made, and with full prior information as to the consequences thereof.

Sec. 23. Section 10, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.080 are each amended to read as follows:

Nothing contained in this chapter ((and RCW 71.24.020 and 71.24.030)) shall prohibit or be construed to prohibit the divulging or providing of statistical or other substantive information pertaining to care, treatment, counseling or rehabilitation, pursuant to this chapter ((and RCW 71.24.020 and 71.24.030)), so long as no individual is identified or reasonably identifiable, and individual privacy and confidentiality is retained.

Sec. 24. Section 11, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.090 are each amended to read as follows:

Nothing contained in this chapter ((and RCW 71.24.020 and 71.24.030)) shall relieve any person or firm from the requirements under federal and state drug laws and regulations for the keeping of records and the responsibility for the accountability of drugs received and dispensed. Such records, insofar as they contain confidential information under this chapter ((and RCW 71.24.020 and 71.24.030)), shall only be available to state and federal drug inspectors who shall not divulge such information as is contained in these records, including the identification of individuals, except (1) upon subpoena in a court or administrative proceeding to which the person to whom such prescription, orders or other records relate is a party, or (2) when the information reasonably leads to the conclusion that there has been a violation of RCW 69.33.380 or 69.40.090, then the information may be referred to other law enforcement officers.

NEW SECTION. Sec. 25. It is the intent of the legislature that licensed service providers hold administrative cost to a minimum and that available resources be utilized to the maximum extent for direct services to clients. For that purpose, the department of social and health services shall conduct a study to determine the appropriate limitation of the total available resources spent by licensed service providers for administrative purposes and report its recommendations to the legislature by the 1984 session of the legislature.

NEW SECTION. Sec. 26. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.010;
- (2) Section 2, chapter 111, Laws of 1967 ex. sess., section 6, chapter 304, Laws of 1971 ex. sess. and RCW 71.24.020;
- (3) Section 4, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.040;
- (4) Section 5, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.050;
- (5) Section 6, chapter 111, Laws of 1967 ex. sess., section 1, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.060;
- (6) Section 7, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.070;
- (7) Section 8, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.080;
- (8) Section 9, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.090;
- (9) Section 12, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.120;
- (10) Section 13, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.130;
- (11) Section 14, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.140;
- (12) Section 15, chapter 111, Laws of 1967 ex. sess., section 2, chapter 204, Laws of 1971 ex. sess., and RCW 71.24.150;

(13) Section 1, chapter 61, Laws of 1969, section 141, chapter 141, Laws of 1979 and RCW 71.24.165;

(14) Section 19, chapter 111, Laws of 1967 ex. sess., section 165, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 71.24.190;

(15) Section 21, chapter 111, Laws of 1967 ex. sess., section 1, chapter 145, Laws of 1979 ex. sess. and RCW 71.24.210; and

(16) Section 23, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.230.

NEW SECTION. Sec. 27. Sections 1 through 5, 9 and 11 of this act are each added to chapter 71.24 RCW.

NEW SECTION. Sec. 28. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending section 3, chapter 111, Laws of 1967 ex. sess. as last amended by section 5, chapter 155, Laws of 1973 1st ex. sess. and RCW 71.24.030; amending section 10, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.100; amending section 11, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.110; amending section 16, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.160; amending section 22, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.220; amending section 24, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.240; amending section 25, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.250; amending section 1, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.010; amending section 2, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.020; amending section 4, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.040; amending section 5, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.050; amending section 8, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.060; amending section 9, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.070; amending section 10, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.080; amending section 11, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.090; amending section 5, chapter 50, Laws of 1970 ex. sess. as amended by section 170, chapter 141, Laws of 1979 and RCW 72.01.454; adding new sections to chapter 71.24 RCW; adding a new section to chapter 74.04 RCW; creating a new section: repealing section 1, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.010; repealing section 2, chapter 111, Laws of 1967 ex. sess., section 6, chapter 304, Laws of 1971 ex. sess. and RCW 71.24.020; repealing section 4, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.040; repealing section 5, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.050; repealing section 6, chapter 111, Laws of 1967 ex. sess., section 1, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.060; repealing section 7, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.070; repealing section 8, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.080; repealing section 9, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.090; repealing section 12, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.120; repealing section 13, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.130; repealing section 14, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.140; repealing section 15, chapter 111, Laws of 1967 ex. sess., section 2, chapter 204, Laws of 1971 ex. sess. and RCW 71.24.150; repealing section 1, chapter 61, Laws of 1969, section 141, chapter 141, Laws of 1979 and RCW 71.24.165; repealing section 19, chapter 111, Laws of 1967 ex. sess., section 165, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 71.24.190; repealing section 21, chapter 111, Laws of 1967 ex. sess., section 1, chapter 145, Laws of 1979 ex. sess. and RCW 71.24.210; and repealing section 23, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.230."

Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

MOTION FOR RECONSIDERATION

Having given previous notice, Mr. Hastings moved that the vote by which Engrossed House Bill No. 1178 failed to pass the House be reconsidered.

Mr. Hastings spoke in favor of the motion.

Mr. Brown demanded an electric roll call vote on the motion, and the demand was sustained.

Ms. Hine spoke against the motion, and Mr. Isaacson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed House Bill No. 1178 failed to pass the House, and the motion was carried by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lundquist, McDonald,

Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Wang, Williams, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Erak, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Tupper, Valle, Walk, Warnke, Wilson, Winsley.

Not voting: Representatives Lewis, McGinnis, Stratton.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed House Bill No. 1178 was deferred, and the bill was ordered placed at the top of the third reading calendar.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:30 a.m., Saturday, March 6, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-FIFTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Saturday, March 6, 1982.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Lewis and McGinnis, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi Morasch and Brenna Carber. Prayer was offered by The Reverend Stanley Workman, Minister of the Evergreen Christian Reformed Church of Olympia.

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

MESSAGE FROM THE SENATE

March 6, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 70,
HOUSE BILL NO. 131,
SUBSTITUTE HOUSE BILL NO. 135,
HOUSE BILL NO. 357,
ENGROSSED HOUSE BILL NO. 454,
SUBSTITUTE HOUSE BILL NO. 462,
SUBSTITUTE HOUSE BILL NO. 571,
SUBSTITUTE HOUSE BILL NO. 810,
HOUSE BILL NO. 826,
SUBSTITUTE HOUSE BILL NO. 920,
SUBSTITUTE HOUSE BILL NO. 1015,
HOUSE BILL NO. 1036,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED HOUSE BILL NO. 1178, by Committee on Local Government and Representative Isaacson:

Restricting the use of electrical inspection fees of cities and towns.

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

Representatives Hastings, Isaacson and Barrett spoke in favor of passage of the bill, and Representatives Hine and Nelson (D) spoke against it.

MOTIONS

On motion of Mr. Nelson (G), further consideration of Engrossed House Bill No. 1178 was deferred.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business:

SECOND READING

SUBSTITUTE HOUSE BILL NO. 424, by Committee on Transportation (originally sponsored by Committee on Transportation and Representative Wilson):

Modifying procedures for public transportation benefit areas.

The bill was read the second time. On motion of Mr. Wilson, Second Substitute House Bill No. 424 was substituted for Substitute House Bill No. 424, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 424 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 424, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bickham, Clayton, Fiske, Lewis, McGinnis, Nisbet.

Second Substitute House Bill No. 424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1231, by Committee on Local Government and Representatives Isaacson, Hine, Eberle, Burns, James, Kreidler, Lundquist, Chamberlain, Johnson and Winsley:

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1231, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bickham, Clayton, Fiske, Lewis, McGinnis, Nisbet.

House Bill No. 1231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3156, by Senators Williams, Fuller, Charnley, Goltz and Zimmerman:

Considering renewable energy systems in the design of public buildings.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass with the following amendment:

On page 5, line 5 after "September 1," strike "1981" and insert "1982"

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3156 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, James, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Hastings, Isaacson.

Not voting: Representatives Fiske, Houchen, Leonard, Lewis, McGinnis, Nickell, Struthers.

Engrossed Senate Bill No. 3156 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The speaker declared the House at ease until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fiske, Lewis and McGinnis, who were excused.

ENGROSSED SENATE BILL NO. 3233, by Senators von Reichbauer and Guss (by State Patrol request):

Revising vehicle accident reporting procedure.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3233, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Senate Bill No. 3233, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED HOUSE BILL NO. 1178:

The House resumed consideration of the bill on third reading and reconsideration of final passage.

Ms. Hine again opposed passage of the bill.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed House Bill No. 1178, and the bill passed the House by the following vote: Yeas, 55; nays, 39; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, McCormick, McDonald, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Smith, Sommers, Teutsch, Thompson, Valle, Walk, Warnke, Winsley.

Not voting: Representatives Fiske, King R., Lewis, McGinnis.

Engrossed House Bill No. 1178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 906, by Committee on Ways and Means (originally sponsored by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Chandler, Wilson, Monohon, Nisbet, Vander Stoep, Struthers, Nelson, G., Hankins, Galloway, King, J., Winsley, Heck, Ellis, Wang and Armstrong - by Governor Spellman request):

Creating the community economic revitalization board.

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

Representatives Chamberlain, Sanders, Nisbet, Greengo, Flanagan, Stratton and Barrett spoke in favor of passage of the bill, and Representatives Rust, Granlund, Ehlers, King (R), Rinehart, Lux, Kaiser and Nelson (D) spoke against it.

Mr. Chandler demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 906, and the bill passed the House by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bender, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Greengo, Hankins, Houchen, Isaacson, Johnson, Leonard, Lundquist, Martinis, McCormick, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Ellis, Granlund, Grimm, Hastings, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Lux, Maxie, McDonald, Nelson D., North, Pruitt, Rinehart, Rust, Sherman, Sommers, Tupper, Valle, Van Dyken.

Not voting: Representatives Fiske, Garson, Lewis, McGinnis.

Second Substitute House Bill No. 906, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), all bills already passed by the House today were ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3249, by Committee on Constitutions and Elections (originally sponsored by Senators Woody, Hayner and Bottiger):

Revising the Public Disclosure Law.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3249, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 3249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1150, by Representatives Vander Stoep, Pruitt, Chamberlain, Brown, Leonard, Salatino, Berleen, Owen, Schmidt, Patrick, Addison, Fiske, Valle and Lux:

Modifying the laws regulating fitting and dispensing hearing aids.

The bill was read the second time. On motion of Mr. Mitchell, Substitute House Bill No. 1150 was substituted for House Bill No. 1150, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1150 was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vander Stoep spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1150, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Cole, Fiske, Lewis, McGinnis.

Substitute House Bill No. 1150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3425, by Senator Moore (by Department of Social and Health Services request):

Defining the milling of uranium and thorium.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3425, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Voting nay: Representative Isaacson.

Not voting: Representatives Ellis, Fiske, Lewis, McGinnis, and Mr. Speaker.

Senate Bill No. 3425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4046, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying testing procedures for brucellosis adult vaccinated cattle.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4046, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4163, by Committee on Natural Resources (originally sponsored by Senator Gallagher):

Revising limitations on lease of state lands for agricultural purposes.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4163, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4163, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4307, by Senators Guess and Hansen:

Modifying civil service provisions relating to state park rangers.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4307, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Garson, Kreidler.

Not voting: Representatives Cantu, Fiske, Lewis, McGinnis.

Senate Bill No. 4307, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4313, by Senators Fuller and Conner:

Authorizing increases in the compensation paid members of the youth development and conservation corps.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill, and Mr. Padden spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4313, and the bill passed the House by the following vote: Yeas, 79; nays, 16; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Patrick, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Cantu, Dickie, Ehlers, Houchen, James, Leonard, Nisbet, Owen, Padden, Prince, Pruitt, Schmidt, Williams, Winsley.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Senate Bill No. 4313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4460, by Committee on Transportation (originally sponsored by Senators Guess and Charnley):

Revising bicycle laws.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4460, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Flanagan, Lewis, McGinnis.

Substitute Senate Bill No. 4460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4466, by Senator Gallagher (by Department of Game request):

Revising law on inspecting businesses that sell or handle wildlife.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4466, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4474, by Senators Vognild, Gould, Talmadge, Woody and Metcalf:

Modifying provisions relating to witnesses in criminal proceedings.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4474, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Senate Bill No. 4474, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4488, by Senators Zimmerman and Charnley:

Revising payment procedures of assessments for local improvements.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4488, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J.,

King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Becker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4488, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4491, by Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request):

Permitting state appeals court judges to serve as judges pro tempore of the state supreme court.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4491, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4493, by Senators Clarke, Talmadge, Newhouse and Wojahn (by Judicial Council request):

Permitting justice courts to impose fines up to \$1000.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass with the following amendment:

On page 1, line 11 strike "six months" and insert "~~(six months)~~ one year"

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4493 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4493 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4494, by Committee on Judiciary (originally sponsored by Senators Clarke, Wojahn and Newhouse – by Judicial Council request):

Establishing a uniform procedure for issuing and executing warrants for administrative inspections.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden, Leonard and Mitchell spoke against passage of the bill.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute Senate Bill No. 4494 as amended by the House was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

SUBSTITUTE SENATE BILL NO. 4501, by Committee on Commerce and Labor (originally sponsored by Senators Guess, Hansen and Quigg):

Modifying requirements for posting of prevailing wage statements by certain contractors.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4501, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4501, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4505, by Committee on Local Government (originally sponsored by Senators Sellar and Talley):

Deleting minimum charge for county treasurer investment service.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4505, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart,

Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Fiske, Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 4505, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4545, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Gaspard, Benitz, Talley, Quigg and Gallagher):

Exempting from the MVET vehicles used exclusively for elderly or handicapped ride-sharing.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass with the following amendments:

On page 1, line 11 after "or" insert "not"

On page 1, line 17 after "persons" insert ", including driver"

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4545 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 4545 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4547, by Senators von Reichbauer, Vognild and Quigg:

Permitting horseless carriage plates to be issued to pre 1941 vehicles.

The bill was read the second time.

MOTION

On motion of Mr. Wilson, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 4551, by Senators von Reichbauer, Hansen and Patterson:

Revising laws relating to the state commission on equipment.

The bill was read the second time.

MOTION

On motion of Mr. Wilson, further consideration of the bill was deferred, and it was ordered placed at the bottom of today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 4566, by Committee on Agriculture (originally sponsored by Senators Newhouse, Hansen, Benitz and Patterson - by State Auditor request):

Modifying requirements for audits of agriculture marketing funds.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4566, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Nelson D.

Not voting: Representatives Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4566, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4569, by Bluechel, Bauer, Bottiger and Newhouse:

Implementing the law relating to investments as assets of domestic insurers.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4569, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Senate Bill No. 4569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4599, by Senators Zimmerman and Bauer:

Modifying minimum mosquito control districts tax.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4599, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell,

Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4599, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4602, by Senators Lee and Talmadge:

Modifying provisions relating to street lighting systems.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4602, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Leonard.

Not voting: Representatives Fiske, Lewis, McGinnis, Van Dyken.

Senate Bill No. 4602, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4644, by Senators Scott and Shipoch:

Establishing the state investment board commingled trust fund.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4644, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Senate Bill No. 4644, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4681, by Senators Zimmerman, Charnley, Bluechel, Deccio, Hemstad and Guess:

Appropriating funds to the department of natural resources.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4681, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Fancher, James, Sprague, Stratton.

Not voting: Representatives Barrett, Fiske, Lewis, McGinnis, Teutsch.

Engrossed Senate Bill No. 4681, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4692, by Committee on Transportation (originally sponsored by Senators Gallagher and Vognilid):

Implementing a program of motorcycle operator training and safety education.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4692, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Stratton, Van Dyken.

Not voting: Representatives Fiske, Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 4692, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4718, by Senators Moore, Haley and Metcalf:

Revising laws regulating veterinarians.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass with the following amendment:

On page 2, line 30 after "public" insert ", and do not prevent animal technicians from inoculating an animal"

Mr. Sanders moved adoption of the committee amendment.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Sanders, what is the position of the Washington State Veterinarians Association on this amendment?"

Mr. Sanders: "Approval."

The committee amendment was adopted.

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4718 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis, Van Dyken.

Senate Bill No. 4718 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4750, by Committee on Transportation (originally sponsored by Senators Scott, Goltz and von Reichbauer - by Department of Licensing request):

Authorizing the department of licensing to enter into the nonresident violators compact.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4750, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Eberle.

Not voting: Representatives Dawson, Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4750, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4846, by Committee on Agriculture (originally sponsored by Senators Wilson, Newhouse and Hansen):

Authorizing the department of ecology to acquire and operate the Lake Osoyoos International Water Control Structure.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4846, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton,

Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4846, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4852, by Committee on Agriculture (originally sponsored by Senators Hansen, Newhouse and Wilson):

Modifying provisions of delinquent irrigation district assessments.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4852, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4919, by Senators Quigg, Hemstad and Fuller (by Department of Employment Security request):

Making an appropriation to the employment security department.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Berleen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4919, and the bill passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Clayton, Ehlers, Kaiser, Nickell, North, Sherman, Walk.

Not voting: Representatives Fiske, Lewis, McGinnis, Owen, Tupper.

Senate Bill No. 4919, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4512, by Senators Clarke, Talmadge, Hemstad and Hughes:

Modifying the liability of railroad company employees.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4512, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Hine, Lewis, McGinnis.

Senate Bill No. 4512, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4701, by Senators Sellar and Ridder:

Requiring health maintenance organizations to contribute to a reserve fund to cover insolvency.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Garson and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4701, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bond.

Not voting: Representatives Fiske, Lewis, McGinnis, Tupper, Wilson.

Engrossed Senate Bill No. 4701, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4064, by Senators Lee and Talley:

Providing for annexation of "island" within sewer and water districts.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4064, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Not voting: Representatives Fiske, Lewis, McGinnis, and Mr. Speaker.

Senate Bill No. 4064, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4660, by Senators Lee, Shipoch, Deccio and Gaspard (by Joint Administrative Rules Review Committee request):

Revising procedures for administrative rule-making notices and statements of purpose.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

Mr. Garson moved adoption of the committee amendments.

POINT OF INQUIRY

Mr. Garson yielded to question by Mr. Ehlers.

Mr. Ehlers: "The fiscal note indicates that the impact for this bill is the same as for House Bill No. 838. Could you tell us how much that is?"

Mr. Garson: "The fiscal note on House Bill 838 shows no direct fiscal impact."

The committee amendments were adopted.

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4660 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Ehlers.

Not voting: Representatives Fiske, Lewis, McGinnis, Stratton.

Senate Bill No. 4660 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4775, by Committee on Judiciary (originally sponsored by Senators Newhouse and Shipoch):

Expanding the duties of the state patrol section in identification.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 51st Day, March 2, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4775 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Fiske, Gallagher, Lewis, McGinnis.

Engrossed Substitute Senate Bill No. 4775 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE SENATE BILL NO. 3541, by Committee on Education (originally sponsored by Senators Gaspard, Gould, Talmadge and Kiskaddon):

Authorizing administration of oral medication by common school and private school personnel.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass with the following amendment:

On page 2, line 31 after "professional" insert "person"

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3541 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Dickie, Isaacson, James, Leonard, Stratton.

Not voting: Representatives Addison, Brown, Fiske, Lewis, McGinnis.

Second Substitute Senate Bill No. 3541 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4477, by Senators Fuller and Zimmerman:

Modifying provisions relating to volunteer work on state park lands.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 24, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4477 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Addison, Fiske, Lewis, McGinnis.

Engrossed Senate Bill No. 4477 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4697, by Committee on State Government (originally sponsored by Senators Quigg, Bluechel, Hemstad, Deccio, Craswell, Metcalf, McCaslin, Patterson, Talmadge, Moore, Woody, McDermott, Jones, Gallagher, von Reichbauer, Benitz, Hayner, Zimmerman, Hurley, Gould, Fuller, Lee, Kiskaddon, Goltz, Wojahn, Williams, Vognild, Talley, Rasmussen, Peterson, Lysen, Hansen, Gaspard, Charnley, Bottiger, Bauer and Sellar):

Authorizing payroll deductions for IRA's.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 26, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4697 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Addison, Fiske, Lewis, McGinnis.

Substitute Senate Bill No. 4697 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3795, by Senator Sellar:

Requiring the payment of premiums for health care services to the employer during labor disputes.

The bill was read the second time.

Committee on Financial Institutions and Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 50th Day, March 1, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3795 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J.,

King R., Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Addison, Fiske, Lewis, McGinnis, Monohon, Rinehart.

Senate Bill No. 3795 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), SUBSTITUTE SENATE BILL NO. 4663 was rereferred from Committee on Natural Resources and Environmental Affairs to Committee on Ways and Means.

On motion of Mr. Nelson (G), SUBSTITUTE SENATE BILL NO. 4824 was rereferred from the second reading calendar to Committee on Ways and Means.

MOTION FOR RECONSIDERATION

Having given previous notice, Representative Isaacson moved that the House now reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 912 failed to pass the House.

Mr. Nelson (D) spoke against the motion, and Mr. Isaacson spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which Engrossed Substitute House Bill No. 912 failed to pass the House, and the motion was carried by the following vote: Yeas, 47; nays, 46; not voting, 5.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Galloway, Greengo, Hankins, Hastings, Isaacson, James, Johnson, King J., Leonard, Lundquist, Martinis, McCormick, McDonald, Mitchell, Nelson G. A., Nickell, Padden, Prince, Rosbach, Sanders, Smith, Sprague, Stratton, Struthers, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Heck, Hine, Houchen, Kaiser, King R., Kreidler, Lux, Maxie, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Taylor, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Not voting: Representatives Addison, Eng, Fiske, Lewis, McGinnis.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute House Bill No. 912 was deferred, and the bill was ordered placed at the bottom of the third reading calendar.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Mr. Isaacson served notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed Senate Bill No. 4477 as amended by the House passed the House.

POINT OF PERSONAL PRIVILEGE

Mr. Martinis: "I would like to inform the body that the electric roll call machine was locked before the Speaker announced he was locking the electric roll call machine; therefore, I was denied my right to change my vote on the motion to reconsider Engrossed Substitute House Bill No. 912."

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Sunday, March 7, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-SIXTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, March 7, 1982.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, Fiske, Scott and Van Dyken. Representatives Eng, Fiske and Scott were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carroe Cederberg and Chris Collison. Prayer was offered by The Reverend Stanley Workman, Minister of the Evergreen Christian Reformed Church of Olympia.

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

REPORTS OF STANDING COMMITTEES

March 5, 1982

HOUSE BILL NO. 1103, Prime Sponsor: Representative Struthers, providing for a state lottery. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Eberle, Flanagan, Hankins, Lux, Monohon.

Voting nay: Representatives Sanders, Chairman; Clayton, Garrett, Smith.

Passed to Committee on Rules for second reading.

March 5, 1982

HOUSE CONCURRENT RESOLUTION NO. 42, Prime Sponsor: Representative Rosbach, requesting modification of state timber sales procedures. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Becker, Greengo, Nisbet, Warnke.

Voting nay: Representatives McDonald, Williams.

Not attending: Representatives Sommers, Ranking Minority Member; Thompson.

Passed to Committee on Rules for second reading.

March 5, 1982

ENGROSSED SENATE BILL NO. 4640, Prime Sponsor: Senator Scott, revising laws relating to retirement from public service. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 16, line 20 of the engrossed bill, after "director" and before the period insert ", except as provided in an act making an appropriation for the retirement system"

On page 46, beginning on line 14 of the engrossed bill, strike section 39 and insert the following: "**NEW SECTION.** Sec. 39. Section 10 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. The remainder of this act shall take effect July 1, 1982."

On page 3, line 13 of the title of the engrossed bill, after "43.43.267;" strike "and"

On page 3, line 14 of the title of the engrossed bill, after "date" and before the period insert "; and declaring an emergency"

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Becker, Greengo, McDonald, Nisbet, Thompson, Williams.

Voting nay: Representative Warnke.

Not attending: Representatives Sommers, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

SUBSTITUTE SENATE BILL NO. 4684, Prime Sponsor: Committee on Agriculture, authorizing the director of agriculture to take emergency measures against plant pests and diseases. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.06.010, chapter 8, Laws of 1965 as last amended by section 4, chapter 53, Laws of 1979 ex. sess. and RCW 43.06.010 are each amended to read as follows:

In addition to those prescribed by the Constitution, the governor may exercise the powers and perform the duties prescribed in this and the following sections:

- (1) The governor shall supervise the conduct of all executive and ministerial offices;
- (2) The governor shall see that all offices are filled, and the duties thereof performed, or in default thereof, apply such remedy as the law allows; and if the remedy is imperfect, acquaint the legislature therewith at its next session;
- (3) The governor shall make the appointments and supply the vacancies mentioned in this title;
- (4) The governor is the sole official organ of communication between the government of this state and the government of any other state or territory, or of the United States;
- (5) Whenever any suit or legal proceeding is pending against this state, or which may affect the title of this state to any property, or which may result in any claim against the state, the governor may direct the attorney general to appear on behalf of the state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;
- (6) The governor may require the attorney general or any prosecuting attorney to inquire into the affairs or management of any corporation existing under the laws of this state, or doing business in this state, and report the same to the governor, or to any grand jury designated by the governor, or to the legislature when next in session;
- (7) The governor may require the attorney general to aid any prosecuting attorney in the discharge of his duties;
- (8) The governor may offer rewards, not exceeding one thousand dollars in each case, payable out of the state treasury, for information leading to the apprehension of any person convicted of a felony who has escaped from a state correctional institution or for information leading to the arrest of any person who has committed or is charged with the commission of a felony;
- (9) The governor shall perform such duties respecting fugitives from justice as are prescribed by law;
- (10) The governor shall issue and transmit election proclamations as prescribed by law;
- (11) The governor may require any officer or board to make, upon demand, special reports to the governor, in writing;
- (12) The governor may, after finding that a public disorder, disaster, energy emergency, or riot exists within this state or any part thereof which affects life, health, property, or the public peace, proclaim a state of emergency in the area affected, and the powers granted the governor during a state of emergency shall be effective only within the area described in the proclamation;
- (13) The governor shall, when appropriate, submit to the select joint committee created by RCW 43.131.120, lists of state agencies, as defined by RCW 43.131.030, which agencies might appropriately be scheduled for termination by a bill proposed by the select joint committee;
- (14) The governor may, after finding that there exists within this state an imminent danger of infestation of plant pests as defined in RCW 17.24.005 or plant diseases which seriously endangers the agricultural or horticultural industries of the state of Washington, or which seriously threatens life, health, or economic well-being, order emergency measures to prevent or abate the infestation or disease situation, which measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides. An ordering of emergency measures shall be accompanied by a finding by the governor that the overall benefits to the state and its citizens that would result from the order outweigh the potential fiscal liability to the state as estimated by the governor.

NEW SECTION. Sec. 2. There is added to chapter 17.24 RCW a new section to read as follows:

(1) If the director of agriculture of the state of Washington determines that there exists an imminent danger of an infestation of plant pests or plant diseases which seriously endangers the agricultural or horticultural industries of the state of Washington, or which seriously threatens life, health, or economic well-being, he shall request the governor to order emergency measures to control the pests or plant diseases pursuant to RCW 43.06.010(14). The director's findings shall contain an evaluation of the effect of the emergency measures upon public health.

(2) The director shall appoint a committee to advise him in the development of the criteria for determining when an emergency situation exists and the procedure for implementing emergency measures. The committee shall report back to the director within one hundred twenty days of the effective date of this act. The committee shall review emergency measures performed under the authority of RCW 43.06.010(14) and this section and make subsequent recommendations to the director. The committee shall include representatives of the agricultural industries, state and local government, public health interests, technical service providers, and environmental organizations. The public shall have access to the recommendations of the committee.

(3) Upon the order of the governor of the use of emergency measures, the director is authorized to apply such emergency measures to prevent, control, or eradicate plant pests or plant diseases that are now

established or may later become established and that may seriously endanger the agricultural or horticultural industries, or which seriously threaten life, health, or economic well-being of the state of Washington. Such measures, after thorough evaluation of all other alternatives, may include the aerial application of pesticides.

(4) Upon the order of the governor of the use of emergency measures, the director is authorized to enter into agreements with individuals and/or companies to accomplish the prevention, control, or eradication of plant pests or plant diseases, notwithstanding the provisions of chapter 15.58 RCW or chapter 17.21 RCW or any other statute.

(5) The director shall continually evaluate the emergency measures taken and report to the governor at intervals of not less than ten days. The director shall immediately advise the governor if he finds that the emergency no longer exists or if certain emergency measures should be discontinued.

NEW SECTION, Sec. 3. There is added to chapter 17.24 RCW a new section to read as follows:

The director of agriculture may, on the behalf of the state of Washington, enter into indemnity contracts wherein the state of Washington agrees to repay any person, firm, corporation, or other entity acting under the direction or control of the proper authority to provide plant pest or plant disease prevention, control, or eradication measures as provided in this chapter or any rule adopted pursuant to the provisions of this chapter, for losses and damages incurred as a result of such prevention, control, or eradication measures if all of the following conditions occur:

(1) At the time of the incident the worker is performing services as an emergency measures worker and is acting within the course of his duties as an emergency measures worker;

(2) At the time of the injury, loss, or damage, the organization providing emergency measures by which the worker is employed is an approved organization for providing emergency measures;

(3) The injury, loss, or damage is proximately caused by his service either with or without negligence as an emergency measures worker;

(4) The injury, loss, or damage is not caused by the intoxication of the worker; and

(5) The injury, loss, or damage is not due to wilful misconduct or gross negligence on the part of a worker.

Where an act or omission by an emergency services provider in the course of providing emergency services injures a person or property, the provider and the state may be jointly and severally liable for the injury, if state liability is proved under existing or hereafter enacted law.

Each person, firm, corporation, or other entity authorized to provide the prevention, control, or eradication measures implementing a program approved under section 2 of this act shall be identified on a list approved by the director. For the purposes of this section, each person on the list shall be known, for the duration of the person's services under the program, as 'an emergency measures worker.'

Sec. 4. Section 8, chapter 113, Laws of 1969 and RCW 15.09.080 are each amended to read as follows:

(1) Whenever the horticultural pest and disease control board finds that an owner of land has failed to control and prevent the spread of horticultural pests and diseases on his land, as is his duty under RCW 15.09.060, it shall provide such person with written notice, which notice shall identify the pests and diseases found to be present and shall order prompt control or disinfection action to be taken within a specified and reasonable time period.

(2) If the person to whom the notice is directed fails to take action in accordance with this notice, then the board shall perform or cause to be performed such measures as are necessary to control and prevent the spread of the pests and diseases on such property and the expense of this work shall be charged to such person (~~PROVIDED, That the board shall have no power to order the destruction of any plant~~).

NEW SECTION, Sec. 5. There is appropriated to the department of agriculture from the general fund for the biennium ending June 30, 1983, the sum of three hundred thousand dollars, or so much thereof as may be necessary, for the operation and expenses of an insect detection and control program.

NEW SECTION, Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1982.

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, Nisbet, Thompson, Warnke, Williams.

Not signing report: Representatives Becker, McDonald.

Not attending: Representative Sommers, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 5, 1982

SENATE BILL NO. 4703, Prime Sponsor: Senator Vognild, modifying provisions relating to class K liquor licenses. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass. Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barrett, Brekke, Brown, Clayton, Cole Garrett, Hankins, Lux, Monohon.

Not attending: Representatives Barr, Eberle, Flanagan, Smith.

Passed to Committee on Rules for second reading.

March 5, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, Prime Sponsor: Committee on Transportation, authorizing an extended industrial development levy by port districts. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 28 strike all material down to and including "proposition." on page 2, line 19.

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brown, Clayton, Cole, Eberle, Garrett, Hankins, Monohon.

Voting nay: Representatives Brekke, Flanagan, Lux, Smith.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, Prime Sponsor: Committee on Energy and Utilities, authorizing loans for energy conservation and renewable energy resources. Reported by Committee on Energy and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Barnes, Chairman; Cantu, Vice Chairman; Nelson (D), Ranking Minority Member; Armstrong, Bender, Dickie, Hine, Scott, Sherman, Tupper.

Voting nay: Representative Bond.

Not attending: Representatives Eberle, Isaacson, McCormick, Schmidt, Sprague, Vander Stoep, Wang.

Passed to Committee on Rules for second reading.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4562, by Committee on Transportation (originally sponsored by Senators von Reichbauer, Talley, Guess and Charnley):

Authorizing state participation in a multistate motor fuel tax agreement.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4562, and the bill passed the House by the following vote: Yeas, 77; nays, 2; not voting, 19.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Padden, Schmidt.

Not voting: Representatives Addison, Barr, Becker, Brown, Chandler, Clayton, Eng, Fiske, King R., Kreidler, Lux, Maxie, McDonald, Prince, Scott, Teutsch, Thompson, Van Dyken, Winsley.

Substitute Senate Bill No. 4562, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4559, by Senators Lee, Rasmussen and Metcalf (by Department of General Administration request):

Modifying the state forms management program.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

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

On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Padden.

Mr. Padden: "Representative Addison, I read in the bill report that the fiscal impact on this bill is the same as House Bill 1169 and that fiscal impact would be significant, both in terms of additional costs and potential savings, and would affect most state agencies. However, there is no way to reasonably estimate the impact without extensive research. I'm wondering if you could give us any idea of the varied factors that might be involved so we can have some rough idea of what the fiscal impact really might be on this bill?"

Mr. Addison: "We're talking about reducing the amount of paperwork by fifteen percent, so if the amount of paperwork handled by an individual bureaucrat is on the average reduced by fifteen percent, it's reasonable to believe that we would be seeing a rather dramatic cost savings to state government. While you can't estimate exactly how much the paperwork costs state government, we can say that by reducing it, we would save money. Probably more important is the savings to those business people and those individuals out there who shell out the paperwork. We all know the information collected by state government is rather horrendous and what this attempts to do is ask the agencies to prioritize that information they have been collecting but not using, to try and cut out some of those unneeded types of information they do collect."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4559 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barr, Brown, Eng, Fiske, Maxie, McDonald, Prince, Teutsch, Thompson, Winsley.

Engrossed Senate Bill No. 4559 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3847, by Senators Lee, Haley and Woody:

Revising laws relating to uniform allowance of organized militia.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 43rd Day, February 22, 1982.)

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3847 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 0; not voting, 11.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G.

A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barrett, Brown, Clayton, Eng, Fiske, McDonald, Salatino, Scott, Teutsch, Thompson, Winsley.

Senate Bill No. 3847 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4956, by Senators Williams, von Reichbauer, Charnley and Hansen:

Regulating the disposition of historic ferries.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wilson and Lundquist spoke in favor of passage of the bill, and Ms. Berleen spoke against it.

Mr. Lundquist spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4956, and the bill passed the House by the following vote: Yeas, 88; nays, 3; not voting 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Berleen, Bond, Patrick.

Not voting: Representatives Eng, Fiske, Scott, Teutsch, Thompson, Van Dyken, Winsley.

Senate Bill No. 4956, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4952, by Senator von Reichbauer:

Authorizing a metropolitan municipal corporation to charter an electric street car on rails operating within a city.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4952, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Brown, Eng, Fiske, Salatino, Scott, Teutsch, Thompson, Winsley.

Senate Bill No. 4952, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3297, by Senators Vognild, Gaspard, Hansen, Quigg and Gallagher (by Senate Oversight Committee on Arson request):

Permitting anti-arson requirements to be met for issuing or continuing fire insurance policies.

The bill was read the second time.

Committee on Financial Institutions and Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, March 1, 1982.)

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3297 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Salatino, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brown, Cole, King J., Leonard, North, Rust, Wang, Warnke.

Not voting: Representatives Eng, Fiske, Sanders, Scott, Teutsch, Van Dyken, Winsley.

Engrossed Senate Bill No. 3297 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 457 with the following amendments:

On page 1, line 4 of the title after "RCW 81.29.020" insert "; and declaring an emergency"

On page 3, line 22 after "commission." insert the following new section:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Wilson moved that the House do concur in the Senate amendments to Reengrossed House Bill No. 457.

Mr. Wilson spoke in favor of the motion, and Ms. Sherman spoke against it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Reengrossed House Bill No. 457 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 457 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 74; nays, 16; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Vander Stoep, Warnke, Williams, Wilson.

Voting nay: Representatives Becker, Brekke, Burns, Cole, Ehlers, Grimm, Heck, Kaiser, King J., King R., Nelson D., Rinehart, Rust, Sherman, Walk, Wang.

Not voting: Representatives Eng, Fiske, Sanders, Scott, Thompson, Van Dyken, Winsley, and Mr. Speaker.

Reengrossed House Bill No. 457 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 757 with the following amendments:

On page 10, after line 25 insert the following:

"Sec. 4. Section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115 are each amended to read as follows:

(1) Certificates of need shall be issued, denied, suspended, or revoked by the secretary of the department, or his designee, in accord with the provisions of this chapter and rules and regulations proposed by the department and adopted by the board of health pursuant to this chapter. Rules and regulations shall establish review procedures and criteria for the certificate of need program. The secretary may reconsider a decision of denial based on evidence, justification, or other information not considered in the certificate of need review process, if the applicant is a hospital licensed under chapter 70.41 RCW.

(2) Criteria for the review of certificate of need applications, except as provided in subsection (3) of this section for health maintenance organizations, shall include but not be limited to consideration of the following:

(a) The relationship of the health services being reviewed to the applicable health plans;
(b) The relationship of services reviewed to the long-range development plan, if any, of the persons providing or proposing such services;

(c) The need that the population served or to be served by such services has for such services;
(d) The availability of less costly or more effective alternative methods of providing such services;
(e) The immediate and the long-range financial feasibility of the proposal as well as the probable impact of the proposal on the cost of and charges for providing health services by the persons proposing the new institutional health service, including findings and recommendations of the Washington state hospital commission in the case of applications submitted by hospitals;

(f) The relationship of the services proposed to be provided to the existing health care system of the area in which such services are proposed to be provided;

(g) In the case of health services to be provided, (i) the availability of resources including health manpower, management personnel, and funds for capital and operating needs for the provision of the services, (ii) the availability of alternative uses of such resources for the provision of other health services, (iii) the effect of the means proposed for the delivery of such services on the clinical needs of health professional training programs in the area in which such services are to be provided, (iv) the extent to which health professions schools in the area will have access to the services for training purposes if such services are to be available in a limited number of facilities, and (v) the extent to which such proposed services will be accessible to all residents of the area to be served. When an application is made by an osteopathic or allopathic facility for a certificate of need to construct, expand, or modernize a health care facility, acquire major medical equipment, or add services, the need for that construction, expansion, modernization, acquisition of equipment, or addition of services shall be considered on the basis of the need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients. The department shall consider the application in terms of its impact on existing and proposed institutional training programs for doctors of osteopathy and medicine at the student, internship, and residency training levels;

(h) Special needs and circumstances of those entities which provide a substantial portion of their services or resources, or both, to individuals not residing in the health service areas in which the entities are located or in adjacent health service areas;

(i) The special needs and circumstances of health maintenance organizations;

(j) In the case of a construction project, the costs and methods of the proposed construction, including the cost and methods of energy provision, and the probable impact of the construction project reviewed (i) on the cost of providing health services by the person proposing such construction project and (ii) on the cost and charges to the public of providing health services by other persons;

(k) The special needs and circumstances of osteopathic hospitals and nonallopathic services;

(l) The special circumstances of health service institutions and the need for conserving energy;

(m) The factors which affect the effect of competition on the supply of the health services being reviewed;

(n) Improvements or innovations in the financing and delivery of health services which foster competition and serve to promote quality assurance and cost-effectiveness;

(o) In the case of health services proposed to be provided, the efficiency and appropriateness of the use of existing services and facilities similar to those proposed; and

(p) In the case of existing services or facilities, the quality of care provided by such services or facilities in the past.

(3) A certificate of need application of a health maintenance organization or a health care facility which is controlled, directly or indirectly, by a health maintenance organization, shall be approved by the department if the department finds (in accordance with criteria prescribed by the secretary of the United States department of health and human services by regulation):

(a) Approval of such application is required to meet the needs of the members of the health maintenance organization and of the new members which such organization can reasonably be expected to enroll; and

(b) The health maintenance organization is unable to provide, through services or facilities which can reasonably be expected to be available to the organization, its institutional health services in a reasonable and cost-effective manner which is consistent with the basic method of operation of the organization and which makes such services available on a long-term basis through physicians and other health professionals associated with it.

A health care facility (or any part thereof) or medical equipment with respect to which a certificate of need was issued under this subsection may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired unless the department issues a certificate of need approving the sale, acquisition, or lease.

(4) When a hospital has developed a long-range health facility plan, pursuant to RCW 70.38.145, and the proposed new institutional health service is consistent with such plan, an expedited review process shall be instituted by the department as it has been done since the enactment of chapter 70.38 RCW in 1971.

(5) The decision of the department on a certificate of need application shall be consistent with the state health plan in effect, except in emergency circumstances which pose a threat to the public health. The department in making its final decision may issue a conditional certificate of need if it finds that the project is justified only under specific circumstances. The conditions shall directly relate to the project being reviewed. The conditions may be released if it can be substantiated that the conditions are no longer valid and the release of such conditions would be consistent with the purposes of this chapter.

(6) Criteria adopted for review in accordance with subsection (2) of this section may vary according to the purpose for which the particular review is being conducted or the type of health service reviewed.

(7) Any applicant denied a certificate of need or whose certificate of need has been suspended or revoked shall be afforded an opportunity for administrative review in accordance with chapter 34.04 RCW and a hearing shall be held within one hundred twenty days of a request therefor. If the applicant is a hospital licensed under chapter 70.41 RCW, any substantial evidence, justification, or other information developed subsequent to the decision of the secretary may be introduced at the hearing.

(8) An application for a certificate of need for a capital expenditure which is required to eliminate or prevent imminent safety hazards or correct violations of applicable licensure and accreditation standards shall be approved as specified in PL 93-641, section 1527(c)."

Remember the sections consecutively.

On page 1, line 7 of the title, after "70.38.111;" insert "amending section 11, chapter 161, Laws of 1979 ex. sess. as amended by section 8, chapter 139, Laws of 1980 and RCW 70.38.115;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Mitchell, the House refused to concur in the Senate amendments to Engrossed House Bill No. 757, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 823 with the following amendments:

On page 2, line 22 after "by" strike "registered" and insert "(registered) certified"

On page 6, line 15 after "parcel" strike all of the material down to and including "proceeding" on line 17.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to Substitute House Bill No. 823.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 823 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 823 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Scott, Van Dyken.

Substitute House Bill No. 823 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 824 with the following amendments:

Strike everything after the enacting clause and insert:

NEW SECTION, Section 1. There is added to chapter 48.44 RCW a new section to read as follows:

Checks in payment for claims pursuant to any health care service contract for health care services provided by persons licensed or regulated under chapters 18.22, 18.25, 18.29, 18.32 or 18.53 RCW, where the provider is not a participant under a contract with the health care service contractor, shall be made out to both the provider and the insured, jointly, to require endorsement by each: PROVIDED, That payment shall be made in the single name of the insured if the insured as part of his or her claim furnishes evidence of prepayment to the health care service provider: AND PROVIDED FURTHER, That nothing in this act shall preclude a health care service contractor from voluntarily issuing payment in the single name of the provider."

On line 1 of the title after "AN ACT Relating to" strike the remainder of the title and insert "payment of health care insurance benefits; adding a new section to chapter 48.44 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Dawson moved that the House do concur in the Senate amendments to Substitute House Bill No. 824.

Representatives Dawson and McGinnis spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 824 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 824 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Teutsch.

Not voting: Representatives Eng, Fiske, Johnson, Scott, Van Dyken.

Substitute House Bill No. 824 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 2, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 626 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. The definitions set forth in this section shall apply throughout this chapter.

(1) 'Knowledge' or 'knowledge of such nuisance' means having knowledge of the contents and character of the patently offensive sexual or violent conduct which appears in the lewd matter, or knowledge of the acts of lewdness or prostitution which occur on the premises.

(2) 'Lewd matter' is synonymous with 'obscene matter' and means any matter:

(a) Which the average person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interest; and

(b) Which explicitly depicts or describes patently offensive representations or descriptions of:

(i) Ultimate sexual acts; normal or perverted, actual or simulated; or

(ii) Masturbation, fellatio, cunnilingus, bestiality, excretory functions, or lewd exhibition of the genitals or genital area; or

(iii) Violent or destructive sexual acts, including but not limited to human or animal mutilation, dismemberment, rape or torture; and

(c) Which, when considered as a whole, and in the context in which it is used, lacks serious literary, artistic, political, or scientific value.

(3) 'Lewdness' shall have and include all those meanings which are assigned to it under the common law.

(4) 'Matter' shall mean a motion picture film or a publication or both.

(5) 'Motion picture film' shall include any:

(a) Film or plate negative;

(b) Film or plate positive;

(c) Film designed to be projected on a screen for exhibition;

(d) Film, glass slides, or transparencies, either in negative or positive form, designed for exhibition by projection on a screen;

(e) Video tape or any other medium used to electronically reproduce images on a screen.

(6) 'Person' means any individual, partnership, firm, association, corporation, or other legal entity.

(7) 'Place' includes, but is not limited to, any building, structure, or places, or any separate part or portion thereof, whether permanent or not, or the ground itself.

(8) 'Prurient' means that which incites lasciviousness or lust.

(9) 'Publication' shall include any book, magazine, article, pamphlet, writing, printing, illustration, picture, sound recording, or coin-operated machine.

(10) 'Sale' means a passing of title or right of possession from a seller to a buyer for valuable consideration, and shall include, but is not limited to, any lease or rental arrangement or other transaction wherein or whereby any valuable consideration is received for the use of, or transfer of possession of, lewd matter.

NEW SECTION. Sec. 2. The following are declared to be moral nuisances:

(1) Any and every place in the state where lewd films are publicly exhibited as a regular course of business, or possessed for the purpose of such exhibition;

(2) Any and every lewd film which is publicly exhibited, or possessed for such purpose at a place which is a moral nuisance under this section;

(3) Any and every place of business in the state in which lewd publications constitute a principal part of the stock in trade;

(4) Every place which, as a regular course of business, is used for the purpose of lewdness or prostitution, and every such place in or upon which acts of lewdness or prostitution are conducted, permitted, carried on, continued, or exist.

NEW SECTION. Sec. 3. Any of the following parties may bring a civil action in the superior court of any county where a moral nuisance is alleged to have been maintained:

(1) The prosecuting attorney for the county where the alleged moral nuisance is located;

(2) The city attorney for the city where the alleged moral nuisance is located; or

(3) The attorney general.

The rules of evidence, burden of proof, and all other rules of court shall be the court rules generally applicable to civil cases in this state: PROVIDED, That the standard of proof on the issue of obscenity shall be clear, cogent, and convincing evidence.

NEW SECTION. Sec. 4. (1) No person shall with knowledge maintain a moral nuisance.

(2) Upon a determination that a defendant has with knowledge maintained a moral nuisance, the court shall impose a civil penalty and judgment of an amount as the court may determine to be appropriate. In

imposing the civil penalty, the court shall consider the wilfulness of the defendant's conduct and the profits made by the defendant attributable to the moral nuisance.

NEW SECTION. Sec. 5. All civil penalties assessed under section 4 of this act shall be paid into the general treasury of the governmental unit commencing the civil action.

NEW SECTION. Sec. 6. Nothing in this chapter applies to the circulation of any material by any recognized historical society or museum, any library of any college or university, or to any archive or library under the supervision and control of the state, county, municipality, or other political subdivision.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 7 RCW.

NEW SECTION. Sec. 8. There is added to chapter 9.68 RCW a new section to read as follows:

A person who, for profit-making purposes and with knowledge, sells, exhibits, displays, or produces any lewd matter as defined in section 1 of this act is guilty of promoting pornography. Promoting pornography is a class C felony and shall bear the punishment prescribed for that class of felony, except that upon conviction of promoting pornography the court shall impose a fine of not less than five thousand dollars per count nor more than fifty thousand dollars per count. In imposing the criminal penalty, the court shall consider the wilfulness of the defendant's conduct and the profits made by the defendant attributable to the felony. All fines assessed under this chapter shall be paid into the general treasury of the state.

NEW SECTION. Sec. 9. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) Section 118, page 96, Laws of 1854, section 124, page 226, Laws of 1869, section 130, page 210, Laws of 1873, section 850, Code of 1881, section 1, page 122, Laws of 1886, section 24, chapter 69, Laws of 1891, section 207, chapter 249, Laws of 1909, section 1, chapter 260, Laws of 1959, section 1, chapter 146, Laws of 1961, section 1, chapter 92, Laws of 1969 and RCW 9.68.010; and

(2) Section 209, chapter 249, Laws of 1909 and RCW 9.68.020."

On page 1, line 1 of the title, after "nuisances;" strike the remainder of the title and insert "adding a new chapter to Title 7 RCW; adding a new section to chapter 9.68 RCW; repealing section 118, page 96, Laws of 1854, section 124, page 226, Laws of 1869, section 130, page 210, Laws of 1873, section 850, Code of 1881, section 1, page 122, Laws of 1886, section 24, chapter 69, Laws of 1891, section 207, chapter 249, Laws of 1909, section 1, chapter 260, Laws of 1959, section 1, chapter 146, Laws of 1961, section 1, chapter 92, Laws of 1969 and RCW 9.68.010; repealing section 209, chapter 249, Laws of 1909 and RCW 9.68.020; declaring an emergency; and prescribing penalties."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Ellis moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 626.

Mr. Ellis spoke in favor of the motion.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Lux.

Mr. Lux: "Representative Ellis, I notice on the original bill on line 31, and on the engrossed bill, line 34, that particular paragraph has been changed, and I wonder if you could explain the difference? They have taken out 'battery and particularly violence against women and children.' I wonder why that's so offensive to them? Why would they take that out?"

Mr. Ellis: "Representative Lux, the best I know is that it's to bring the definitions in line with the Miller definition of obscenity and not going into that area of the type of matter that's described there in the bill. That's all I can tell you."

Mr. Lux spoke against the Senate amendment, but stated he would vote for it, and Mr. Padden spoke in favor of it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 626 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 626 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 83; nays, 10; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Cole, Erak, King J., Kreidler, Monohon, Nelson D., Rinehart, Wang.

Not voting: Representatives Eng, Fiske, Salatino, Scott, Van Dyken.

Engrossed Substitute House Bill No. 626 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 875 with the following amendments:

On page 7, line 14 after "June 30," strike "1987" and insert "1985"

On page 11, after line 9 insert the following:

"NEW SECTION. Sec. 17. Sections 11 and 12 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. The remainder of this act shall take effect in accordance with Article II, section 41 of the state Constitution."

Renumber the remaining sections consecutively.

On page 4, line 26 of the title after "70.93.910," strike "and"

On page 4, line 27 of the title after "70.93.920" and before the period insert "; and declaring an emergency"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 875.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 875 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 875 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Scott, Van Dyken.

Engrossed Substitute House Bill No. 875 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 878 with the following amendments:

On page 8, beginning on line 16 after "(i)" strike "~~(Secretary, department of social and health services, and (j)) State radiological control officer;~~" and insert "Secretary, department of social and health services; ~~(and))~~"

On page 8, line 23 after "designee;" strike "and" and insert "~~(and))~~"

On page 8, following line 24 insert "(iii) A representative of a recognized statewide organization of employers, representing a large cross section of the Washington business community, to be appointed by the governor."

On page 15, line 10 strike all of section 17 and renumber the remaining sections consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to page 8, and refused to concur in the amendment to page 15, line 10, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 946 with the following amendment:

On page 1, line 23 after "office" insert "familiar with the traffic safety commission" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wilson, the House concurred in the Senate amendment to Substitute House Bill No. 946.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 946 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 946 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Hine, Scott.

Substitute House Bill No. 946 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1017 with the following amendments:

On page 6, line 13 after "purchasers" insert "and the offering of camping club contracts is essentially noncommercial"

On page 10, line 30 strike "twelfth" and insert "sixth"

On page 11, line 23 strike "twelve" and insert "six"

On page 16, line 18 after "chapter" strike "or any rule or order under this chapter"

On page 16, line 19 after "misdemeanor" strike "; but no person may be convicted for the violation of any order if he proves that he had no knowledge of the order"

On page 16, line 34 after "information" strike "; (5) To violate any rule or order of the director"

On page 18, line 7 after "chapter" strike "and may issue interpretive opinions with respect to this chapter" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House concurred in the Senate amendments to House Bill No. 1017.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1017 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1017 as amended by the Senate, and the bill passed the House by the following vote; Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Scott.

House Bill No. 1017 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1092, by Representatives Struthers, Hastings and McGinnis:

Modifying the unfair cigarette sales act.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Salatino.

Mr. Salatino: "Representative Struthers, I heard your arguments in support of the bill, but I'm a little bit confused. I thought we have a freeze on state hiring right now?"

Mr. Struthers: "I didn't know that."

Representatives Salatino, Warnke, Barnes, Addison, Ehlers, Brown and Sanders spoke against passage of the bill, and Representatives Granlund, Patrick and Greengo spoke in favor of it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

Mr. Struthers closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1092, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barrett, Becker, Bickham, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Ellis, Erak, Fancher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell,

O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Bender, Berleen, Brown, Cantu, Clayton, Dawson, Dickie, Eberle, Ehlers, Flanagan, Gallagher, Grimm, Isaacson, James, Kaiser, McDonald, Nisbet, North, Padden, Pruitt, Salatino, Sanders, Schmidt, Sherman, Smith, Valle, Walk, Wang, Warnke, Williams.

Not voting: Representatives Eng, Fiske, Scott.

House Bill No. 1092, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (G): "Mr. Speaker, could you advise the body, now that this is the 56th Day, which rules now apply?"

The Speaker: "There are three principle changes in the method of operation in the House Rules: Rule 13 says when only five days remain in the session, measures may have more than one reading upon a majority vote to suspend the rules. Rule 21C says when only five days remain, members may not speak longer than three minutes without consent of the House. Rule 25D, reconsideration, when only five days remain in the session, reconsideration of final passage must be taken on the same day."

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-137, by Representatives Bond, Thompson, Sanders, Owen, Berleen, Bickham, Barrett, Nisbet, Leonard, Hastings, Dickie and Ellis:

WHEREAS, The murals commissioned for the walls of the Chamber of the Washington State House of Representatives have been the focus of some controversy over their suitability; and

WHEREAS, There is legitimate concern as to whether the criteria established for artwork to decorate the House Chamber were fully satisfied by the work selected; and

WHEREAS, The aforementioned criteria included a requirement that the work selected be compatible with the architecture of the House Chamber; and

WHEREAS, The criteria for the artwork included a requirement that the work meet critical standards and satisfy both the informed as well as the untutored; and

WHEREAS, There has been some question by both art experts and the general public as to the appropriateness of the style and subject matter in the setting of a public building of architectural and historic significance;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives considers the aforementioned murals to be inappropriate for the walls of the House Chamber; and

BE IT FURTHER RESOLVED, That the Director of the Department of General Administration be and is hereby requested to immediately undertake removal of said murals from the Chamber walls, and to take all reasonable precautions to effect such removal without damage to the murals, if possible; and

BE IT FURTHER RESOLVED, That a sale by auction be held to dispose of the murals, or other steps taken as deemed appropriate by the Director of the Department of General Administration, to recover the funds expended on the acquisition and removal of the murals; and

BE IT FURTHER RESOLVED, That if it is determined by the Director that it is impossible to remove the murals from the walls of the Chamber without significant damage to the murals, the Department will take action to cover them in an appropriate manner, allowing for possible placement of new murals or other artwork in the future.

Mr. Bond moved adoption of the resolution. Representatives Bond, Tupper, Thompson, Greengo, Lewis, Houchen, Valle, Becker and Patrick spoke in favor of the resolution, and Representatives O'Brien, Stratton, Prince and Nelson (D) spoke against it.

Mr. Padden demanded the previous question and the demand was sustained.

Mr. Bond closed debate, speaking again in favor of the resolution.

House Resolution No. 82-137 was adopted.

HOUSE RESOLUTION NO. 82-138, by Representatives Rinehart, Winsley, Valle, Brekke, Hine, Cole, Sherman, Becker, Monohon, Granlund, Galloway, Rust, Teutsch, Berleen,

North, Hankins, Stratton, McCormick, Maxie, Sommers, Houchen, Armstrong, Padden, Wang, King (J), Barrett, Bickham and Ellis:

WHEREAS, Sunday, March 7, 1982 is International Women's Day; and

WHEREAS, The purpose of International Women's Day is to celebrate the continual struggle women face around the world to gain economic, political, social, and educational equality; and

WHEREAS, In 1975, the United Nations proclaimed International Women's Year; and

WHEREAS, The United States followed by proclaiming the year and ensuing decade, 1975-85, as a specific time period dedicated to women's issues; and

WHEREAS, The first international conference for women was held in Mexico City in June of 1975, at which 133 nations were represented; and

WHEREAS, At that conference, a world plan of action was adopted, which women around the world are continuing to work to implement; and

WHEREAS, International Women's Day encourages women of all races, creeds, and nationalities to work together to promote equality between women and men;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That this legislative body applauds and supports these worthy efforts to promote equality between women and men, and hereby joins with the people of this state in celebrating International Women's Day, this March 7, 1982.

Ms. Rinehart moved adoption of the resolution. Representatives Rinehart and Teutsch spoke in favor of the resolution.

House Resolution No. 82-138 was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1217, by Representatives Williams, Vander Stoep and Tupper:

Modifying provisions on joint operating agencies.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1217 was substituted for House Bill No. 1217, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1217 was read the second time.

Mr. King (R) moved adoption of the following amendment by Representatives King (R), Hine and Wang:

On page 1, line 21 after "new" strike "nine" and insert "eleven"

Representatives King (R) and Nelson (D) spoke in favor of the amendment, and Representatives Williams, Garson and James spoke against it.

Representatives King (R) and Nelson (D) spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King (R) and others to page 1, line 21 of Substitute House Bill No. 1217, and the amendment was not adopted by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Burns, Cole, Dawson, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Scott.

On motion of Mr. King (R), the following amendments by Representatives King (R), Williams and Tupper were adopted:

On page 1, beginning on line 24 after "agency," strike all material through "projects." on line 26 and insert "The executive board shall conduct its business in a manner which in its judgment is in the interests of all ratepayers affected by the joint operating agency and its projects."

On page 6, line 22 after "(5)" strike everything through "decisions." on line 25 and insert "The executive board shall conduct its business in a manner which in its judgment is in the interests of all ratepayers affected by the joint operating agency and its projects."

Mr. Tupper moved adoption of the following amendment by Representatives Tupper and Scott:

On page 4, line 15 after the period insert "For purposes of this section, misconduct shall include, but not be limited to nonfeasance and misfeasance."

Representatives Tupper and Williams spoke in favor of the amendment, and Mr. King (R) spoke against it.

The amendment was adopted.

Mr. Vander Stoep moved adoption of the following amendments by Representatives Vander Stoep and Tupper:

On page 4, line 18 strike "Five" and insert "Four"

On page 4, line 29 strike "Four" and insert "Five"

Mr. Vander Stoep spoke in favor of the amendments, and Ms. Monohon spoke against them.

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

Representatives King (R) and Nelson (D) spoke against the amendments, and Representatives Williams and Tupper spoke in favor of them.

POINT OF INQUIRY

Mr. Williams yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Williams, you stated that WPPSS or the joint operating agency authority was granted in 1953 and that they were formed in 1957?"

Mr. Williams: "I didn't say anything as far as what year they were formed."

Ms. Stratton: "You indicated that in 1977, the legislature began to address some of the problems. Where was the legislature during those twenty years? Why were they not addressing the problems?"

Mr. Williams: "The legislature in the past twenty years has attempted to address the problems. I was not a member of the legislature twenty years ago, but if you would like the legislative history, I could read it to you. Unfortunately, from the original legislation which created the joint operating agency, we set up a Washington State Power Commission which was a creature of the state which had the oversight responsibilities for WPPSS. At that time there was no WPPSS, there was just JOA. The succeeding legislatures finally omitted the check and balance in the system. Coincidentally, the year that was omitted, WPPSS was formed."

Ms. Stratton spoke in favor of the amendments, and Ms. Monohon again opposed them.

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

Mr. Vander Stoep closed debate, speaking again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Vander Stoep and Tupper to page 4, of Substitute House Bill No. 1217, and the amendments were adopted by the following vote: Yeas, 53 nays, 42; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kridler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Tilly, Valle, Walk, Wang, Warnke.

Not voting: Representatives Eng, Fiske, Scott.

On motion of Mr. Nelson (D), the following amendment by Representatives Nelson (D) and Tupper was adopted:

On page 5, line 23 after "fraud" strike "and" and insert "or"

On motion of Mr. Tupper, the following amendments by Representatives Vander Stoep and Tupper were adopted:

On page 5, line 13 after "member" insert "(who shall be an outside director)"

On page 6, line 33 strike "ten" and insert "eight"

Mr. James moved adoption of the following amendment by Representatives James, Brown, Salatino and Addison:

On page 11, after line 23 insert the following new section:

"NEW SECTION. Sec. 9. there is added to chapter 43.52 RCW a new section to read as follows:

No joint operating agency shall be formed without the prior approval of three-fifths of the voters in each city or district forming the operating agency. The cities or districts applying to form the operating agency shall bear the costs attributable to such elections, including for statutorily required voter information."

Renumber the remaining sections consecutively.

Representatives James, Addison and Salatino spoke in favor of the amendment, and Representatives Isaacson, Barnes, Nisbet and Tilly spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative James and others to page 11 of Substitute House Bill No. 1217, and the amendment was not adopted by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Addison, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Cole, Dickie, Eberle, Ehlers, Erak, Gallagher, Garrett, Grimm, Heck, Houchen, James, Kaiser, Kreidler, Lewis, Lux, Maxie, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Salatino, Sanders, Schmidt, Sommers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Brekke, Chamberlain, Chandler, Clayton, Dawson, Ellis, Fancher, Flanagan, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Isaacson, Johnson, King J., King R., Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Rust, Sherman, Smith, Sprague, Stratton, Struthers, Tilly, Vander Stoep, Walk, Wang, Williams, Wilson.

Not voting: Representatives Eng, Fiske, Scott.

Mr. King (R) moved adoption of the following amendment by Representatives King (R) and Monohon:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are

ected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Election and removal of members of the executive board and establishment of the compensation of outside directors;

(b) Final authority on any decision of the operating agency to purchase, acquire, or construct ~~((or sell any))~~ power plants, works, and facilities; and

~~((b) Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds: PROVIDED, That the board may delegate this authority to the executive board;))~~

(c) ~~((Appointment of a treasurer under RCW 43.52.375;~~

~~(d) Election of members to the executive board under RCW 43.52.374;~~

~~(e) Approve annual budgets submitted by the executive board; and~~

~~(f) Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374))~~ Final authority, upon recommendation of the executive board, on any decision of the operating agency to terminate ownership, construction, or operation of any power plants, works, and facilities.

All other powers and duties of the operating agency, including without limitation the power to sell power plants, works, and facilities or make or implement any and all post-termination decisions, are vested in the executive board established under RCW 43.52.374. The executive board shall have all powers and duties necessary to carry out its responsibility to construct, operate, terminate, or decommission the nuclear and nonnuclear projects, including without limitation the power to issue and sell bonds and to adopt and amend all budgets.

Sec. 2. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Seven members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the seven members of the executive board elected from among the members of the board of directors so as to afford fair representation which reflects the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, including the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) Four members of the executive board shall be outside directors and shall be selected and appointed by the board of directors. The outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the board of directors shall choose by lot two outside directors to serve two-year terms and two to serve four-year terms. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the seven members elected from the board of directors. The outside directors may be paid additional compensation as established by the board of directors;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; ~~((and))~~

(v) Be representative of policy makers in business, finance, or science, or ~~((be recognized experts))~~ have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets; and

(vi) No member of the executive board may be personally liable for mistakes and errors of judgment in the performance of his duties involving the exercise of judgment and discretion unless the duties are performed with corrupt or malicious motives or fraud or his acts are not within the scope of his official duties. The operating agency shall undertake the defense of and indemnify each executive board member made a party to any proceeding, including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact that he is or was a member of the executive board against judgments, penalties, fines, settlements, and reasonable expenses actually incurred by him in connection with such proceeding. In addition, members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility job for decisions they make while carrying out their duties as members of the executive board except for misconduct, malfeasance in office, or incompetence.

(c) The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations.

(4) The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record.

(5) With respect to any operating agency existing on July 28, 1981, to which the provisions of this section are applicable:

(a) The board of directors shall elect seven members to the executive board no later than sixty days after July 28, 1981; and

(b) The board of directors shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than ninety days after July 28, 1981, and the powers and duties prescribed in RCW 43.52.375, 43.52.378, and this section shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) ~~((Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational))~~ The executive board shall conduct its business in a manner which in its judgment is in the interests of all ratepayers affected by the joint operating agency and its projects.

Sec. 3. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

~~((The board of each joint operating agency shall by resolution appoint a treasurer. If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.))~~ If the joint operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the executive board shall by resolution appoint a treasurer. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct. The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. If the joint operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board. The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the executive board: PROVIDED, That the executive board by resolution may authorize the ~~((executive committee or executive board))~~ managing director or such other bonded officers or employees as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business ((and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform)), including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties. All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the executive board. The treasurer shall establish a general fund and such special funds as shall be ~~((created))~~ designated by the executive board, into which ~~((he))~~ the treasurer shall place all ~~((money))~~ of those moneys of the joint operating agency ~~((as the board by resolution or motion may direct))~~ which are subject to the jurisdiction of the executive board.

Sec. 4. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits, including such engineering expertise as the executive board deems necessary, which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or

employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 5. There is added to chapter 43.52 RCW a new section to read as follows:

The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality."

Mr. King (R) spoke in favor of the amendment, and Mr. Williams spoke against it.

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

Representatives Monohon and Nelson (D) spoke in favor of the amendment, and Representatives Garson and Barnes spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the amendment by Representatives King (R) and Monohon to Substitute House Bill No. 1217, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Scott.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Williams and Monohon spoke in favor of passage of the bill, and Mr. King (R) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1217, and the bill passed the House by the following vote: Yeas, 78; nays, 17; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton,

Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Becker, Bender, Brown, Gallagher, Garrett, Grimm, Kaiser, King R., Lux, Maxie, Owen, Pruitt, Salatino, Valle, Walk, Warnke.

Not voting: Representatives Eng, Fiske, Scott.

Engrossed Substitute House Bill No. 1217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), all bills passed today were ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, by Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representative Barnes):

Modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

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

Representatives Barnes, Garson, Wang and Cantu spoke in favor of passage of the bill, and Mr. Nelson (D) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 81; nays, 14; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Berleen, Brekke, Brown, Burns, Cole, Garrett, King R., Lux, Maxie, Monohon, Nelson D., Rinehart, Salatino.

Not voting: Representatives Eng, Fiske, Scott.

Engrossed Substitute House Bill No. 1053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 1053 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 6, 1982

HOUSE BILL NO. 1196, Prime Sponsor: Representative Maxie, establishing the anniversary of the birth of Martin Luther King, Jr. as a state holiday. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 34 strike all material down through "taught" on page 3, line 20

Renumber the remaining sections consecutively.

On page 1, beginning on line 3 of the title after "RCW 1.16.050;" strike all material down through "RCW 28A.02.061;" on line 6

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Hankins, Kaiser, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not attending: Representatives Greengo, Johnson, Lewis, McGinnis.

Passed to Committee on Rules for second reading.

March 6, 1982

SENATE BILL NO. 3001, Prime Sponsor: Senator Rasmussen, providing for parking for disabled persons. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380 are each amended to read as follows:

Any person who submits satisfactory proof to the director that he or she has lost both of his or her lower extremities, or has lost the normal or full use thereof, or is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or has lost both hands, or who suffers from lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second, shall be entitled to receive both a special card to be left in a vehicle in a conspicuous place (bearing) and, for one motor vehicle only, a special decal to be affixed to the vehicle in a conspicuous place designated by the director. In lieu of the decal and regular motor vehicle license plates, the disabled person is entitled to receive a special license plate. The special card, decal, and special license plates shall bear distinguishing marks, letters, or numerals indicating that the vehicle is being used to transport such a disabled person. ((Such a disabled person shall also be entitled to receive for one motor vehicle only, a special decal to be affixed to the vehicle in a conspicuous place designated by the director, bearing distinguishing marks, letters, or numerals indicating that the vehicle is owned by or primarily used for such a disabled person. The disabled person is also entitled to receive, in lieu of the decal and regular motor vehicle license plates, special license plates bearing distinguishing marks, letters, or numerals indicating that the vehicle is owned by such a disabled person.)) Vehicles displaying the special license plate, card, or decal shall be entitled to use parking places otherwise reserved for physically disabled persons ((pursuant to chapter 70-92 RCW, or authority implemental thereof)). Whenever the disabled person transfers or assigns his or her interest in the vehicle, the special decals or license plates shall be removed from the motor vehicle. Such person shall immediately surrender the decal to the director together with a notice of the transfer of interest in such vehicle. If another vehicle is acquired by, or for the primary use of, the disabled person, a new decal shall be issued by the director. Application for renewal, except for the permanently disabled who shall be issued a permanent card, must be made by January 10th of each renewal year together with satisfactory proof of the right to continued use of such special card and decal. If another vehicle is acquired by the disabled person and special plates are used, they shall be attached to the vehicle, and the director shall be immediately notified of the transfer of plates. If another vehicle is not acquired by the disabled person, the removed plates shall be immediately forwarded to the director to be reissued later upon payment of the regular registration fee.

The special license plates shall be renewed in the same manner and at the time required for the renewal of regular motor vehicle license plates under this chapter. No special license plate may be issued to a person who is temporarily disabled. A person who is permanently disabled under this section shall be issued a permanent card. A person who is temporarily disabled under this section shall be issued a temporary card which shall be renewed, at such times as the director may require, by satisfactory proof of the right to continued use of the card.

No additional fees shall be charged for the issuance of the special card and decal, and, at the time the vehicle is originally licensed in this state or the license is up for renewal, no additional fee may be charged for the issuance of the special license plates except the regular motor vehicle registration fee and any other fees and taxes required to be paid upon initial registration or renewal of a motor vehicle. On July 1, 1980, any disabled person who is entitled to receive a special license plate under this section and who has valid Washington state license plates for his or her motor vehicle shall be entitled to receive special license plates upon payment of the fee prescribed in RCW 46.16.270 and surrender of the existing plates.

The director shall promulgate such rules and regulations as he or she deems necessary to carry into effect this section.

Any unauthorized use of the special card, the decal, or the special license plate is a traffic infraction.

It is a traffic infraction, with a monetary penalty of no more than fifty dollars for each violation, for any person to park a vehicle in a parking place reserved for physically disabled persons ((pursuant to chapter 70-92 RCW, or authority implemental thereof.)) on public property without a special license plate, card, or decal as in this section provided. A person charged with a violation hereof shall not be determined to have committed an infraction if he produces in court or prior to the court appearance the special license plate, special card, or special decal required hereunder or demonstrates he was entitled to the same at the time of being ticketed.

Sec. 2. Section 65, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 178, Laws of 1979 ex. sess. and RCW 46.61.565 are each amended to read as follows:

Any police officer may take custody of a vehicle and provide for its prompt removal to a place of safety under any of the following circumstances:

(1) Whenever any police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer is hereby authorized to provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway.

(2) Whenever any police officer finds a vehicle unattended upon any highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety.

(3) Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of any vehicle involved in an accident is physically or mentally incapable, or too intoxicated, to decide upon steps to be taken to protect his or her property.

(4) Whenever the driver of a vehicle is arrested and taken into custody by a police officer, and the driver, because of intoxication or otherwise, is mentally incapable of deciding upon steps to be taken to safeguard his or her property.

(5) Whenever a police officer discovers a vehicle which he determines to be a stolen vehicle.

(6) Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.380 is parked in a stall or space clearly and conspicuously marked.

(7) Nothing in this section shall derogate from the powers of police officers under the common law. For the purposes of this section, a place of safety may include the business location of a registered disposer as defined in RCW 46.52.102.

Sec. 3. Section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 27, Laws of 1979 ex. sess. and RCW 46.61.580 are each amended to read as follows:

Any person who has lost both of his or her lower extremities, or who has lost the normal or full use thereof, or who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or who has lost both hands, or who suffers from lung disease to such an extent that forced expiratory respiratory volume, when measured by spirometry, is less than one liter per second, shall be allowed to park a vehicle being used to transport such person for unlimited periods of time in parking zones or areas which are otherwise restricted as to the length of time parking is permitted. This section shall have no application to those zones or areas in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. Such a person shall not be permitted the foregoing privilege unless he or she obtains and displays a special card, a decal, or a special license plate attached to the vehicle, as provided in RCW 46.16.380 as now or hereafter amended.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title after "persons;" strike the remainder of the title and insert "amending section 6, chapter 192, Laws of 1979 ex. sess. and RCW 46.16.380; amending section 65, chapter 155, Laws of 1965 ex. sess. as last amended by section 21, chapter 178, Laws of 1979 ex. sess. and RCW 46.61.565; amending section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 27, Laws of 1979 ex. sess. and RCW 46.61.580; and prescribing penalties."

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Hankins, Johnson, Kaiser, Nelson (D), Nickell, O'Brien, Rinehart, Rust, Sprague.

Not Attending: Representatives Greengo, Lewis, McGinnis.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SENATE BILL NO. 4113, Prime Sponsor: Senator Quigg, updating references to the state building code. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Walk, Ranking Minority Member; Erak, Hankins, Johnson, Kaiser, Nelson (D), Nickell, O'Brien, Rinehart, Rust.

Not attending: Representatives Greengo, Lewis, McGinnis, Sprague.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4418, Prime Sponsor: Committee on Social and Health Services, enacting the social and health services financial responsibility act. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 10.82 RCW a new section to read as follows:

(1) When a superior court has, as a condition of the sentence for a person convicted of the unlawful receipt of public assistance, ordered restitution to the state of that overpayment or a portion thereof, the payments shall be made to the clerk of the appropriate county.

(2) The county clerk shall transmit those funds to the department of social and health services within forty-five days after receipt.

(3) The department of social and health services shall not be precluded from deducting the overpayments from subsequent assistance payments to the convicted person as provided in RCW 74.04.300 if the court has not ordered restitution under subsection (1) of this section.

NEW SECTION. Sec. 2. There is added to chapter 43.20A RCW a new section to read as follows:

(1) The term 'license' means that exercise of regulatory authority by the secretary to grant permission, authority, or liberty to do or to forbear certain activities. The term includes licenses, permits, certifications, registrations, and other similar terms.

(2) The secretary shall charge fees to the licensee for obtaining a license. Municipal corporations providing emergency medical care and transportation services pursuant to chapter 18.73 RCW shall be exempt from such fees, provided that such other emergency services shall only be charged for their pro rata share of the cost of licensure and inspection, if appropriate. The secretary may waive the fees when, in the discretion of the secretary, the fees would not be in the best interest of public health and safety, or when the fees would be to the financial disadvantage of the state.

(3) Fees charged shall be based on, but shall not exceed, the cost to the department for the licensure of the activity or class of activities and may include costs of necessary inspection.

(4) Department of social and health services advisory committees may review fees established by the secretary for licenses and comment upon the appropriateness of the level of such fees.

NEW SECTION. Sec. 3. There is added to chapter 50.40 RCW a new section to read as follows:

(1) An individual filing a new claim for unemployment compensation shall, at the time of filing the claim, disclose whether or not the individual owes child support obligations as defined under subsection (7) of this section. If the individual discloses that he or she owes child support obligations and is determined to be eligible for unemployment compensation, the commissioner shall notify the state or local child support enforcement agency enforcing those obligations that the individual has been determined to be eligible for unemployment compensation.

(2) The commissioner shall deduct and withhold from any unemployment compensation payable to an individual who owes child support obligations as defined under subsection (7) of this section:

(a) The amount specified by the individual to the commissioner to be deducted and withheld under this subsection, if neither (b) nor (c) of this subsection is applicable;

(b) The amount (if any) determined pursuant to an agreement submitted to the commissioner under section 454(20)(B)(i) of the Social Security Act by the state or local child support enforcement agency, unless (c) of this subsection is applicable; or

(c) Any amount otherwise required to be so deducted and withheld from such unemployment compensation pursuant to legal process, as that term is defined in section 462(e) of the Social Security Act, properly served upon the commissioner.

(3) Any amount deducted and withheld under subsection (2) of this section shall be paid by the commissioner to the appropriate state or local child support enforcement agency.

(4) Any amount deducted and withheld under subsection (2) of this section shall be treated for all purposes as if it were paid to the individual as unemployment compensation and paid by that individual to the state or local child support enforcement agency in satisfaction of the individual's child support obligations.

(5) For the purposes of this section, 'unemployment compensation' means any compensation payable under this chapter including amounts payable by the commissioner under an agreement under any federal law providing for compensation, assistance, or allowances with respect to unemployment.

(6) This section applies only if appropriate arrangements have been made for reimbursement by the state or local child support enforcement agency for the administrative costs incurred by the commissioner under this section which are attributable to child support obligations being enforced by the state or local child support enforcement agency.

(7) 'Child support obligations' as used in this section means only those obligations which are being enforced pursuant to a plan described in section 454 of the Social Security Act which has been approved by the secretary of health and human services under part D of Title IV of the Social Security Act.

(8) 'State or local child support enforcement agency' as used in this section means any agency of this state or a political subdivision thereof operating pursuant to a plan described in subsection (7) of this section.

Sec. 4. Section 5, chapter 253, Laws of 1957 as amended by section 1, chapter 247, Laws of 1971 ex. sess. and RCW 18.20.050 are each amended to read as follows:

Upon receipt of an application for license, if the applicant and the boarding home facilities meet the requirements established under this chapter, the department or the department and the authorized health department jointly, shall issue a license. If there is a failure to comply with the provisions of this chapter or the standards, rules, and regulations promulgated pursuant thereto, the department, or the department and authorized health department, may in its discretion issue to an applicant for a license, or for the renewal of a license, a provisional license which will permit the operation of the boarding home for a period to be determined by the department, or the department and authorized health department, but not to exceed twelve months, which provisional license shall not be subject to renewal. At the time of the (issuance) application for or renewal of a license or provisional license the licensee shall pay a license fee (~~(of ten dollars plus one dollar per bed capacity per year, but in no event shall the total exceed fifty dollars)~~) as established by the department under section 2 of this 1982 act. When the license or provisional license is issued jointly by the department and authorized health department, the license fee shall be paid to the authorized health department. All licenses issued under the provisions of this chapter shall expire on a date to be set by the (board) department, but no license issued pursuant to this chapter shall exceed twelve months in duration: PROVIDED, That when the annual license renewal date of a previously licensed boarding home is set by the

~~((board))~~ department on a date less than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license. All applications for renewal of license shall be made not later than thirty days prior to the date of expiration of the license. Each license shall be issued only for the premises and persons named in the application, and no license shall be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

Sec. 5. Section 4, chapter 168, Laws of 1951 and RCW 18.46.030 are each amended to read as follows:

An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires, which may include affirmative evidence of ability to comply with rules and regulations as are lawfully prescribed hereunder. Each application for license or renewal of license shall be accompanied by a license fee ~~((of fifteen dollars plus one dollar per bed capacity per year, but in no event shall the total exceed one hundred dollars))~~ as established by the department under section 2 of this 1982 act: PROVIDED, That no fee shall be required of charitable or nonprofit or government-operated institutions.

Sec. 6. Section 5, chapter 168, Laws of 1951 and RCW 18.46.040 are each amended to read as follows:

Upon receipt of an application for a license and the license fee, ~~((where required;))~~ the licensing agency shall issue a license if the applicant and the maternity home facilities meet the requirements established under this chapter. A license, unless suspended or revoked, shall be renewable annually. ~~((All licenses issued under the provisions of this chapter shall expire on the first day of July next succeeding the date of issue.))~~ Applications for renewal shall be on forms provided by the department and shall be filed in the department not less than ten days prior to its expiration. Each application for renewal shall be accompanied by a license fee ~~((of twenty-five dollars))~~ as established by the department under section 2 of this 1982 act. Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place on the licensed premises.

Sec. 7. Section 183, chapter 35, Laws of 1945 and RCW 50.40.020 are each amended to read as follows:

Any assignment, pledge, or encumbrance of any right to benefits which are or may become due or payable under this title shall be void. Such rights to benefits shall be exempt from levy, execution, attachment, or any other remedy whatsoever provided for the collection of debts, except as provided in section 3 of this 1982 act. Benefits received by any individual, so long as they are not commingled with other funds of the recipient, shall be exempt from any remedy whatsoever for collection of all debts except debts incurred for necessities furnished such individual or his spouse or dependents during the time when such individual was unemployed. Any waiver of any exemption provided for in this section shall be void.

Sec. 8. Section 1, chapter 30, Laws of 1974 ex. sess. as last amended by section 11, chapter 171, Laws of 1979 ex. sess. and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title shall, except as provided for in RCW 74.04.530 or 74.20A-.260, prior to the issuance and delivery of the check or warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: PROVIDED, That if any worker suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he or she shall have received payment of his or her award for such permanent partial injury, or if any worker suffers any other injury before he or she shall have received payment of any monthly installment covering any period of time prior to his or her death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That, if any worker suffers an injury and dies therefrom before he or she shall have received payment of any monthly installment covering time loss for any period of time prior to his or her death, the amount of such monthly payment shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That any application for compensation under the foregoing provisos of this section shall be filed with the department or self-insuring employer within one year of the date of death: PROVIDED FURTHER, That if the injured worker resided in the United States as long as three years prior to the date of injury, such payment shall not be made to any surviving spouse or child who was at the time of the injury a nonresident of the United States: PROVIDED FURTHER, That any worker receiving benefits under this title who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence shall have all payments of such compensation canceled during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such worker would, but for the provisions of this proviso, otherwise be entitled thereto: PROVIDED FURTHER, That if any prisoner is injured in the course of his or her employment while participating in a work or training release program authorized by chapter 72.65 RCW and is subject to the provisions of this title, he or she shall be entitled to payments under this title subject to the requirements of chapter 72.65 RCW unless his or her participation in such program has been canceled, or unless he or she is returned to a state correctional institution, as defined in RCW 72.65.010(3), as a result of revocation of parole or new sentence: PROVIDED FURTHER, That if such incarcerated worker has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him or her for himself or herself and his or her beneficiaries had he or she not been

so confined. Any lump sum benefits to which the worker would otherwise be entitled but for the provisions of these provisios shall be paid on a monthly basis to his or her beneficiaries.

Sec. 9. Section 10, chapter 267, Laws of 1955 and RCW 70.41.100 are each amended to read as follows:

An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires which may include affirmative evidence of ability to comply with the standards, rules, and regulations as are lawfully prescribed hereunder. An application for renewal of license shall be made to the department upon forms provided by it and submitted thirty days prior to the date of expiration of the license. Each application for a license or renewal thereof by a hospital as defined by this chapter shall be accompanied by ~~((an annual)) a fee ((based on the number of beds in said hospital, excluding bassinets for the newborn, as follows: Less than fifty beds, twenty dollars; fifty beds or more, but less than one hundred twenty-five, thirty-five dollars; one hundred twenty-five beds or more, fifty dollars. PROVIDED, That no fee shall be required of government-operated institutions))~~ as established by the department under section 2 of this 1982 act.

Sec. 10. Section 3, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.220 are each amended to read as follows:

The person operating a transient accommodation as defined in this chapter shall secure each year an annual operating license and shall pay a fee therefor ~~((in the sum of fifteen dollars))~~ as established by the department under section 2 of this 1982 act. The annual licensure period shall run from January 1st through December 31st of each year. The license fee shall be paid to the department prior to the time the license is issued and such license shall be conspicuously displayed in the lobby or office of the facility for which it is issued.

Sec. 11. Section 4, chapter 239, Laws of 1971 ex. sess. and RCW 70.62.230 are each amended to read as follows:

In addition to the annual license fee, the person operating a transient accomodation shall pay an annual inspection fee ~~((if an))~~ for any inspection ~~((is))~~ made during the course of the year ~~((in accordance with the following schedule:~~

3 to 24 lodging units	\$15.00
25 to 49 lodging units	25.00
50 to 74 lodging units	35.00
75 to 99 lodging units	50.00
100 to 199 lodging units	75.00
200 and up lodging units	100.00

~~Only one such inspection fee shall be charged during any calendar year regardless of the number of inspections which may be made))~~ Fees for inspection shall be as established by the department under section 2 of this 1982 act.

Sec. 12. Section 11, chapter 267, Laws of 1955 as amended by section 3, chapter 247, Laws of 1971 ex. sess. and RCW 70.41.110 are each amended to read as follows:

Upon receipt of an application for license and the license fee, the department shall issue a license or a provisional license if the applicant and the hospital facilities meet the requirements of this chapter and the standards, rules and regulations established by the board. All licenses issued under the provisions of this chapter shall expire on a date to be set by the ~~((board, but no license issued pursuant to this chapter shall exceed twelve months in duration. PROVIDED, That when the annual license renewal date of a previously licensed hospital is set by the board on a date less than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license))~~ department: PROVIDED, That no license issued pursuant to this chapter shall exceed ~~thirty-six~~ months in duration. Each license shall be issued only for the premises and persons named in the application, and no license shall be transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place on the licensed premises.

If there be a failure to comply with the provisions of this chapter or the standards, rules and regulations promulgated pursuant thereto, the department may in its discretion issue to an applicant for a license, or for the renewal of a license, a provisional license which will permit the operation of the hospital for a period to be determined by the department ~~((, but shall not exceed twelve months, unless approved by the board)).~~

Sec. 13. Section 10, chapter 99, Laws of 1977 ex. sess. and RCW 70.119.100 are each amended to read as follows:

The issuance and renewal of a certificate shall be subject to the following conditions:

(1) Except as provided in RCW 70.119.090, a certificate shall be issued if the operator has satisfactorily passed a written examination, has paid the department an application fee ~~((of ten dollars))~~ as established by the department under section 2 of this 1982 act, and has met the requirements specified in the rules and regulations as authorized by this chapter.

(2) The terms for all certificates shall be for one year from the date of issuance. Every certificate shall be renewed annually upon the payment of a ~~((five dollar renewal))~~ fee as established by the department under section 2 of this 1982 act and satisfactory evidence presented to the secretary that the operator demonstrates continued professional growth in the field.

(3) The secretary shall notify operators who fail to renew their certificates before the end of the certificate year that their certificates are temporarily valid for two months following the end of the certificate year.

Certificates not renewed during the two month period shall be invalid and the secretary shall so notify the holders of such certificates.

(4) An operator who has failed to renew a certificate pursuant to the provisions of this section, may reapply for certification and the secretary may require the operator to meet the requirements established for new applicants.

Sec. 14. Section 71.12.470, chapter 25, Laws of 1959 and RCW 71.12.470 are each amended to read as follows:

Every application for a license shall be accompanied by a plan of the premises proposed to be occupied, describing the capacities of the buildings for the uses intended, the extent and location of grounds appurtenant thereto, and the number of patients proposed to be received therein, with such other information, and in such form, as the department requires. The application shall be accompanied by the proper license fee. The amount of the license fee ((for each fiscal year is fixed by the following schedule:

(1) For establishments licensed to receive not more than six patients, the fee is five dollars;

(2) For establishments licensed to receive more than six but not more than twenty-five patients, the fee is twenty-five dollars;

(3) For establishments licensed to receive more than twenty-five but not more than fifty patients, the fee is fifty dollars;

(4) For establishments licensed to receive more than fifty patients, the fee is seventy-five dollars)) shall be established by the department under section 2 of this 1982 act.

((In the case of the issuance of a license on or after the first day of January next succeeding the beginning of the fiscal year, the license fee for the remainder of the fiscal year is one-half the sum fixed for the entire fiscal year. The department shall require a license fee in situations where licensed establishments increase their number of patients during any fiscal year, based on a pro rata charge under the schedule set forth herein. No additional fee will be required in the event of an application for transfer of a license to another person to operate the same establishment. No additional license fee shall be required for the transfer of the license issued in the name of one person to operate an establishment at a certain location where an application is received to transfer that license to the same person to operate an establishment at a different location.))

Sec. 15. Section 71.12.490, chapter 25, Laws of 1959 as amended by section 4, chapter 247, Laws of 1971 ex. sess. and RCW 71.12.490 are each amended to read as follows:

All licenses issued under the provisions of this chapter shall expire on a date to be set by ((the state board of health, but no license issued pursuant to this chapter shall exceed twelve months in duration: PROVIDED, That when the annual license renewal date of a previously licensed private establishment is set by the board on a date less than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license)) department of social and health services: PROVIDED, That no license issued pursuant to this chapter shall exceed thirty-six months in duration. Application for renewal of the license, accompanied by the necessary fee as established by the department of social and health services under section 2 of this 1982 act, shall be filed with ((the) that department ((of social and health services annually)), not less than ((ten)) thirty days prior to its expiration and if application is not so filed, the license shall be automatically canceled.

Sec. 16. Section 74.04.300, chapter 26, Laws of 1959 as last amended by section 2, chapter 84, Laws of 1980 and RCW 74.04.300 are each amended to read as follows:

If a recipient receives public assistance and/or food stamps for which he is not eligible, or receives public assistance and/or food stamps in an amount greater than that for which he is eligible, the portion of the payment to which he is not entitled shall be a debt due the state(~~;- PROVIDED, That if any part of any assistance payment is obtained by a person as a result of a willfully false statement, or representation, or impersonation, or other fraudulent device, or wilful failure to reveal resources or income, one hundred twenty-five percent of the amount of assistance to which he was not entitled shall be a debt due the state and shall become a lien against the real and personal property of such person from the time of filing by the department with the county auditor of the county in which the person resides or owns property, and such lien claim shall have preference to the claims of all unsecured creditors)) and shall become a lien against the real and personal property of the recipient from the time of filing by the department with the county auditor of the county where the recipient resides or owns property, and the lien claim has preference over the claims of all unsecured creditors. It shall be the duty of recipients of public assistance and/or food stamps to notify the department within twenty days of the receipt or possession of all income or resources not previously declared to the department(~~;- and any failure to so report shall be prima facie evidence of fraud: PROVIDED FURTHER, That there shall be no liability placed upon recipients for receipt of overpayments of public assistance which result from error on the part of the department and no fault on the part of the recipient in obtaining or retaining the assistance if the recovery thereof would be inequitable as determined by the secretary or his designee or)). The department shall advise applicants for assistance that failure to report as required, failure to reveal resources or income, and false statements will result in recovery by the state of any overpayment and may result in criminal prosecution. When the department determines that the cost of collection is likely to exceed((s)) the amount recoverable from ((a nonfraudulent)) any overpayment or the debt is uncollectible, the secretary may waive collection.~~~~

Debts due the state pursuant to the provisions of this section, may be recovered by the state by deduction from the subsequent assistance payments to such persons, lien and foreclosure, order to withhold and deliver, or may be recovered by a civil action instituted by the attorney general.

Sec. 17. Section 1, chapter 102, Laws of 1973 1st ex. sess. and RCW 74.04.530 are each amended to read as follows:

Notwithstanding any provisions in Title 51 RCW to the contrary, by accepting public assistance from the department of social and health services, the recipient thereof shall be deemed to have subrogated said department to the recipient's right to recover net time loss compensation due to such recipient and his or her dependents pursuant to the provisions of Title 51 RCW of up to eighty percent of the extent of such assistance or compensation, whichever is less, furnished to the recipient and his or her dependents for or during the period for which time loss compensation is payable: PROVIDED, That ((where public assistance has been furnished to one or more persons to whom such a recipient owes a duty of support, whether such duty has been expressed by an order of court or otherwise, the department's right to recover any time loss compensation shall be limited to that part of such compensation allocated to such persons by RCW 51.32.090: PROVIDED, FURTHER, That)) the amount to be repaid to the department of social and health services shall bear its proportionate share of attorney's fees and costs, if any, incurred by the injured workman or his dependents. The department of social and health services may assert and enforce a lien and notice to withhold and deliver as hereinafter provided to secure reimbursement of any public assistance paid for or during the period and for the purposes expressed in this section: PROVIDED, FURTHER, That no claim for payment under chapter 73.34 RCW shall be subject to garnishment, attachment, levy, or execution.

Sec. 18. Section 1, chapter 163, Laws of 1981 and RCW 74.04.700 are each amended to read as follows:

(1) Any person who owes a debt to the state for an overpayment of public assistance ((obtained as a result of a willfully false statement, or representation, or impersonation, or other fraudulent device, or willful failure to reveal resources or income)) and/or food stamps shall be notified of that debt by either personal service or certified mail, return receipt requested. Personal service, return of the requested receipt, or refusal by the debtor of such notice is proof of notice to the debtor of the debt owed. Service of the notice shall be in the manner prescribed for the service of a summons in a civil action. The notice shall include a statement of the debt owed; a statement that the property of the debtor will be subject to collection action after the debtor terminates from public assistance and/or food stamps; a statement that the property will be subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver; and a statement that the net proceeds will be applied to the satisfaction of the overpayment debt. Action to collect the debt by lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver, is lawful after ninety days from the debtor's termination from public assistance and/or food stamps or the receipt of the notice of debt, whichever is later. This does not preclude the department from recovering ((fraudulent)) overpayments by deduction from subsequent assistance payments, not exceeding ((ten percent of each subsequent assistance payment)) deductions as authorized under federal law with regard to financial assistance programs: PROVIDED, That subject to federal legal requirement, deductions shall not exceed five percent of the grant payment standard if the overpayment resulted from error on the part of the department or error on the part of the recipient without willful or knowing intent of the recipient in obtaining or retaining the overpayment.

(2) Any debtor who alleges defenses to the debt or disputes the stated amount of the debt has the right to request in writing a hearing pursuant to RCW 74.08.070. If no such request is made, the debt will be subject to collection action as authorized under this chapter. If a timely request is made, the execution of collection action on the debt shall be stayed pending the decision of the hearing or termination of the debtor from public assistance and/or food stamps, whichever occurs later. The right to an appeal shall be governed by RCW 74.08.070, 74.08.080, and the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 19. There is added to chapter 74.09 RCW a new section to read as follows:

The department is authorized to establish copayment, deductible, or coinsurance requirements for recipients of any medical programs defined in RCW 74.09.010 but shall not establish copayment, deductible or coinsurance requirements for legend drugs as defined in RCW 69.41.210, unless required by federal law.

Sec. 20. Section 5, chapter 322, Laws of 1959 as last amended by section 1, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20.040 are each amended to read as follows:

(1) Whenever the department of social and health services receives an application for public assistance on behalf of a child ((and it shall appear to the satisfaction of the department that said child has been abandoned by its parents or that the child and one parent have been abandoned by the other parent or that the parent or other person who has a responsibility for the care, support, or maintenance of such child has failed or neglected to give proper care or support to such child)), the department shall take appropriate action under the provisions of this chapter, ((the abandonment or nonsupport statutes)) chapter 74.20A RCW, or other appropriate statutes of this state to ((insure that such parent or other person responsible shall pay for the care, support, or maintenance of said dependent child)) establish or enforce support obligations against the parent or other persons owing a duty to pay support moneys.

The department shall collect data from cases of support under RCW 74.20.270 where there is no court-ordered support obligation. Such data shall include: Income characteristics of those obligated to pay support, obligation established, and resulting payments. The department shall report its findings to the appropriate legislative committees by January 1, 1983. The department shall reconsider its administrative standards under RCW 74.20.270 in light of relevant data and shall, to the extent feasible without substantial impact on aid to families with dependent children, bring those standards into conformity with payment standards based on actual experience.

(2) The secretary may accept applications for support enforcement services on behalf of persons who are not recipients of public assistance and may take action as he deems appropriate to establish or enforce support obligations against the parent or other persons owing a duty to pay moneys. Applications accepted

under this section may be conditioned upon the payment of a fee as required through regulation issued by the secretary. Action may be taken under the provisions of chapter 74.20 RCW, the abandonment or non-support statutes, or other appropriate statutes of this state, including but not limited to remedies established in chapter 74.20A RCW, to establish and enforce said support obligations. The secretary may establish by regulation, such reasonable standards as he deems necessary to limit applications for support enforcement services. Said standards shall take into account the income, property, or other resources already available to support said person for whom a support obligation exists.

(3) The secretary may charge a fee to compensate the department for services rendered in establishment of or enforcement of support obligations. This fee shall be agreed on in writing with the custodian or guardian of the person for whom a support obligation is owed, or that person if no custodian or guardian exists and shall be limited to not more than ten percent of any support money collected as a result of action taken by the secretary. The secretary shall by regulation establish reasonable fees for support enforcement services and said schedule of fees shall be made available to all applicants for support enforcement services. The secretary may, on showing of necessity, waive or defer any such fee.

(4) The secretary may impose a fee on the individual who owes a child support or spousal support obligation with respect to all such child and spousal support obligations for which collection is made on behalf of persons who are not recipients of public assistance.

Fees, due and owing, may be collected as delinquent support moneys utilizing any of the remedies in chapter 74.20 RCW, chapter 74.20A RCW, chapter 26.21 RCW, or any other remedy at law or equity available to the department or any agencies with whom it has a cooperative or contractual arrangement to establish, enforce, or collect support moneys or support obligations.

(5) The secretary may waive the fee, or any portion thereof, as a part of a compromise of disputed claims or may grant partial or total charge off of said fee if the secretary finds there are no available, practical, or lawful means by which said fee may be collected or to facilitate payment of the amount of delinquent support moneys owed.

Sec. 21. Section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090 are each amended to read as follows:

Whenever a support lien or order to withhold and deliver is served upon any person, firm, corporation, association, political subdivision, or department of the state asserting a support debt against earnings and there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state, any such earnings, RCW 7.33.280 shall not apply, but fifty percent of the disposable earnings shall be exempt and may be disbursed to the debtor whether such earnings are paid, or to be paid weekly, monthly, or at other intervals and whether there be due the debtor earnings for one week or for a longer period. The lien or order to withhold and deliver shall continue to operate and require said person, firm, corporation, association, political subdivision, or department of the state to withhold the nonexempt portion of earnings at each succeeding earnings disbursement interval until the entire amount of the support debt stated in the lien or order to withhold and deliver has been withheld. As used in this chapter, the term 'earnings' means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and, notwithstanding any other provision of law making such payments exempt from garnishment, attachment, or other process to satisfy support obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title (56- or) 74 RCW. Earnings shall specifically include all gain derived from capital, from labor, or from both combined, not including profit gained through sale or conversion of capital assets. The term 'disposable earnings' means that part of the earnings of any individual remaining after the deduction from those earnings of any amount required by law to be withheld.

NEW SECTION. Sec. 22. Section 1, chapter 91, Laws of 1965 ex. sess., section 307, chapter 141, Laws of 1979 and RCW 74.04.305 are each repealed.

NEW SECTION. Sec. 23. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 24. A joint select committee on financial responsibility for residential and non-residential services shall be created. Such committee shall study the equity and fairness among the various services provided to clients and families of similar needs and the fees charged to clients and families of similar needs. The committee shall determine whether there is justification for differences in responsibilities of parents for residential services provided to children, and further determine whether fees for residential services are in excess of or less than what parents of similar income would likely expend for a child at home.

The study shall further examine methods for instituting a common, uniform and consistent approach to charging fees for residential and nonresidential services provided by the department which includes but is not limited to the following considerations:

- (1) The ability of parents to pay for services;
- (2) Financial considerations for encouraging parental contact with institutionalized children; and
- (3) Appropriate offsets to any liabilities to be imposed on parents.

In addition, the study committee shall take the following into consideration when developing its recommendations:

- (1) Methods to maximize support from third party payors, including the military where appropriate;
- (2) The need to minimize disruption to the current service level because of diminished general state revenues;
- (3) The financial responsibility programs utilized by other states for similar services; and

(4) The need to ensure that the financial obligations of the parent do not discourage the participation in necessary residential and nonresidential services.

The speaker of the house of representatives and the president of the senate shall appoint the joint select committee composed of six members of the house of representatives and six members of the senate, three members of the majority caucus and three members of the minority caucus each. A report of the findings of this study shall be submitted to the speaker of the house of representatives and the president of the senate no later than January 1, 1983, along with recommendations for legislative action."

On page 1, on line 27 of the title, after "74.04.700;" strike all material down through "74.04.710;" on line 28

Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Becker, Ranking Minority Member; Brekke, Johnson, Kreidler, Mitchell, Pruiitt, Tilly, Valle.

Not attending: Representatives Dawson, Houchen.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SENATE BILL NO. 4661, Prime Sponsor: Senator Quigg, modifying provisions relating to unemployment compensation. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 59, chapter 35, Laws of 1945 as last amended by section 149, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 50.12.200 are each amended to read as follows:

The commissioner shall appoint a state advisory council composed of not more than nine ((members)) men and women, of which three shall be representatives of employers, three shall be representatives of employees, and three shall be representatives of the general public ((~~who are not entitled to benefits under this title~~)). Such council shall aid the commissioner in formulating policies and discussing problems related to the administration of this title and of assuring impartiality and freedom from political influence in the solution of such problems. The council shall serve without compensation. The commissioner may also appoint committees, and industrial or other special councils, to perform appropriate services. Advisory council members shall be reimbursed for travel expenses incurred in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 2. Section 2, chapter 1, Laws of 1971 as last amended by section 7, chapter 35, Laws of 1981 and RCW 50.22.010 are each amended to read as follows:

As used in this chapter, unless the context clearly indicates otherwise:

(1) 'Extended benefit period' means a period which:

(a) Begins with the third week after ((~~whichever of the following weeks occurs first:~~

(i) ~~A week for which there is a national 'on' indicator; or~~

(ii) ~~A week for which there is a state 'on' indicator; and~~) a week for which there is an 'on' indicator;

and

(b) Ends with the third week after the first week for which there is ((~~both a national 'off' indicator and a state~~)) an 'off' indicator: PROVIDED, That no extended benefit period shall last for a period of less than thirteen consecutive weeks, and further that no extended benefit period may begin by reason of ((~~a state~~)) an 'on' indicator before the fourteenth week after the close of a prior extended benefit period which was in effect with respect to this state.

((~~(2) There is a 'national 'on' indicator' for a week if the United States secretary of labor determines that for the period consisting of such week and the twelve weeks immediately preceding it, the rate of insured unemployment (seasonally adjusted) for all states equaled or exceeded four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period):~~

(~~(3) There is a 'national 'off' indicator' for a week if the United States secretary of labor determines that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (seasonally adjusted) for all states was less than four and five-tenths percent (determined by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period):~~

(~~(4))~~ (2) There is ((~~a state 'on' indicator~~)) an 'on' indicator for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) ((~~either:~~

(~~(a))~~ equaled or exceeded one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years and equaled or exceeded ((four percent; or

(~~(b) Equaled or exceeded~~) five percent.

((~~(5))~~) (3) There is ((~~a 'state 'off' indicator'~~)) an 'off' indicator for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) was either:

(a) Less than ~~((four))~~ five percent; or

(b) ~~((Four))~~ Five percent or more (~~((but less than five percent))~~) and the rate of insured unemployment was less than one hundred twenty percent of the average of the rates for the corresponding thirteen week period ending in each of the two preceding calendar years.

~~((6))~~ (4) 'Regular benefits' means benefits payable to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits or additional benefits.

~~((7))~~ (5) 'Extended benefits' means benefits payable for weeks of unemployment beginning in an extended benefit period to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than regular or additional benefits.

~~((8))~~ (6) 'Additional benefits' are benefits totally financed by the state and payable under this title to exhaustees by reason of conditions of high unemployment or by reason of other special factors.

~~((9))~~ (7) 'Eligibility period' of an individual means the period consisting of the weeks in his or her benefit year which begin in an extended benefit period that is in effect in this state and, if his or her benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(8) An 'additional benefit period' means a period within an extended benefit period which:

(a) Begins with the third week after a week for which:

(i) The governor determines that adverse economic conditions and high unemployment among the state's workers necessitate payment of additional benefits; and

(ii) The commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection equals or exceeds six and one-half percent: PROVIDED, That six percent shall apply if the fifty-two week rate of insured unemployment has been less than four and one-half percent at any time within the preceding one hundred four weeks.

(b) Ends with the third week after a week for which the commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection is less than six and one-half percent: PROVIDED, That six percent shall apply if the additional benefit period began because of the proviso in (a)(ii) of this subsection, the fifty-two week rate of insured unemployment has not exceeded six and one-half percent during the additional benefit period, and the additional benefit period has been in effect for fewer than thirty-six weeks.

(c) No additional benefit period may last for a period of less than thirteen weeks, and no additional benefit period may begin before the fourteenth week after the close of a prior additional benefit period.

(d) 'Rate of insured unemployment,' for the purposes of (a) and (b) of this subsection, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent fifty-two consecutive-week period as determined by the commissioner on the basis of his reports to the United States Secretary of Labor by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such fifty-two week period. The division shall be carried to the fourth decimal place with any remaining fraction disregarded.

(e) If a federally funded program of benefits is established which provides for benefits beyond thirty-nine weeks, any additional benefit period in effect shall terminate on the last day of the week preceding the effective week of the federal program. No additional benefit period may begin while such a federal program is in effect.

(9) 'Additional benefit eligibility period' of an individual means the period consisting of the weeks in his or her benefit year which begin in an additional benefit period that is in effect and, if his or her benefit year ends within such additional benefit period, any weeks thereafter which begin in such period.

(10) 'Exhaustee' means an individual who, with respect to any week of unemployment in his or her eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were payable to him or her under this title or any other state law (including dependents' allowances and regular benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week; or

(b) Has received, prior to such week, all of the regular benefits that were available to him or her under this title or any other state law (including dependents' allowances and regular benefits available to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week, after the cancellation of some or all of his or her wage credits or the total or partial reduction of his or her rights to regular benefits: PROVIDED, That, for the purposes of (a) and (b), an individual shall be deemed to have received in his or her current benefit year all of the regular benefits that were payable to him or her, or available to him or her, as the case may be, even though:

(i) As a result of a pending appeal with respect to wages or employment, or both, that were not included in the original monetary determination with respect to his or her current benefit year, he or she may subsequently be determined to be entitled to more regular benefits; or

(ii) By reason of the seasonal provisions of another state law, he or she is not entitled to regular benefits with respect to such week of unemployment (although he or she may be entitled to regular benefits with respect to future weeks of unemployment in the next season, as the case may be, in his or her current benefit year), and he or she is otherwise an exhaustee within the meaning of this section with respect to his or her right to regular benefits under such state law seasonal provisions during the season or off season in which that week of unemployment occurs; or

(iii) Having established a benefit year, no regular benefits are payable to him or her during such year because his or her wage credits were canceled or his or her right to regular benefits was totally reduced as the result of the application of a disqualification; or

(c) His or her benefit year having ended prior to such week, he or she has insufficient wages or employment, or both, on the basis of which he or she could establish in any state a new benefit year that would include such week, or having established a new benefit year that includes such week, he or she is precluded from receiving regular benefits by reason of the provision in RCW 50.04.030 which meets the requirement of section 3304(a)(7) of the Federal Unemployment Tax Act, or the similar provision in any other state law; and

(d) (i) Has no right for such week to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(ii) Has not received and is not seeking for such week unemployment benefits under the unemployment compensation law of Canada, unless the appropriate agency finally determines that he or she is not entitled to unemployment benefits under such law for such week.

(11) 'State law' means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the internal revenue code of 1954.

Sec. 3. Section 7, chapter 1, Laws of 1971 and RCW 50.22.060 are each amended to read as follows:

(1) Whenever an extended benefit period is to become effective in this state (or in all states) as a result of ~~((a state or national))~~ an 'on' indicator, or an extended benefit period is to be terminated in this state as a result of ~~((state and national))~~ an 'off' indicator ~~((s or solely as a result of a state 'off' indicator prior to January 1, 1972))~~, the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of RCW 50.22.010 ~~((6))~~ ~~(4)~~ shall be made by the commissioner, in accordance with regulations prescribed by the United States secretary of labor.

Sec. 4. Section 4, chapter 1, Laws of 1971 as amended by section 9, chapter 35, Laws of 1981 and RCW 50.22.030 are each amended to read as follows:

(1) An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his or her eligibility period only if the commissioner finds with respect to such week that:

(a) The individual is an 'exhaustee' as defined in RCW 50.22.010 ~~((13; and));~~

(b) He or she has satisfied the requirements of this title for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits; and

(c) He or she has earned wages in the applicable base year of at least forty times his or her weekly benefit amount.

(2) An individual filing an interstate claim in any state under the interstate benefit payment plan shall not be eligible to receive extended benefits for any week beyond the first two weeks claimed for which extended benefits are payable unless an extended benefit period embracing such week is also in effect in the agent state.

Sec. 5. Section 6, chapter 1, Laws of 1971 and RCW 50.22.050 are each amended to read as follows:

(1) The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

~~((1))~~ (a) Fifty percent of the total amount of regular benefits which were payable to him under this title in his applicable benefit year;

~~((2))~~ (b) Thirteen times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year; or

~~((3))~~ (c) Thirty-nine times his weekly benefit amount which was payable to him under this title for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits which were paid (or deemed paid) to him under this title with respect to the benefit year.

(2) Notwithstanding any other provision of this chapter, if the benefit year of any eligible individual ends within an extended benefit period, the extended benefits which the individual would otherwise be entitled to receive with respect to weeks of unemployment beginning after the end of the benefit year and within the extended benefit period shall be reduced (but not below zero) by the product of the number of weeks for which the individual received any amount as a trade readjustment allowance within that benefit year, multiplied by the individual's weekly extended benefit amount.

NEW SECTION. Sec. 6. There is added to chapter 50.20 RCW a new section to read as follows:

(1) Notwithstanding any other provision of this chapter, an otherwise eligible individual shall not be denied benefits for any week because he or she is in training approved under section 236(a)(1) of the Trade Act of 1974, P.L. 93-618, nor may that individual be denied benefits for any such week by reason of leaving work which is not suitable employment to enter such training, or for failure to meet any requirement of federal or state law for any such week which relates to the individual's availability for work, active search for work, or refusal to accept work.

(2) For the purposes of this section, 'suitable employment' means, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as described for the purposes of the Trade Act of 1974, P.L. 93-618), if the wages for such work are not less than eighty percent of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974, P.L. 93-618.

Sec. 7. Section 124, chapter 35, Laws of 1945 and RCW 50.32.080 are each amended to read as follows:

After having acquired jurisdiction for review, the commissioner shall review the proceedings in question. Prior to rendering his decision, the commissioner may order the taking of additional evidence by an appeal tribunal to be made a part of the record in the case. Upon the basis of evidence submitted to the appeal tribunal and such additional evidence as the commissioner may order to be taken, the commissioner shall render his decision in writing affirming, modifying, or setting aside the decision of the appeal tribunal (and). Alternatively, the commissioner may order further proceedings to be held before the appeal tribunal, upon completion of which the appeal tribunal shall issue a decision in writing affirming, modifying, or setting aside its previous decision. The new decision may be appealed under RCW 50.32.070. The commissioner shall mail his decision to the interested parties at their last known addresses.

NEW SECTION. Sec. 8. There is added to chapter 50.32 RCW a new section to read as follows:

The commissioner may designate certain commissioner's decisions as precedents. These precedents shall govern the decisions of the appeal tribunal unless modified by subsequent precedents designated by the commissioner or by published decisions of the Washington appellate courts. The commissioner's decisions designated as precedents shall be published and made available to the public by the department.

Sec. 9. Section 183, chapter 35, Laws of 1945 and RCW 50.40.020 are each amended to read as follows:

Any assignment, pledge, or encumbrance of any right to benefits which are or may become due or payable under this title shall be void. Such rights to benefits shall be exempt from levy, execution, attachment, or any other remedy whatsoever provided for the collection of debts, except as provided in section 10 of this 1982 act. Benefits received by any individual, so long as they are not commingled with other funds of the recipient, shall be exempt from any remedy whatsoever for collection of all debts except debts incurred for necessities furnished such individual or his spouse or dependents during the time when such individual was unemployed. Any waiver of any exemption provided for in this section shall be void.

NEW SECTION. Sec. 10. There is added to chapter 50.40 RCW a new section to read as follows:

(1) An individual filing a new claim for unemployment compensation shall, at the time of filing the claim, disclose whether or not the individual owes child support obligations as defined under subsection (7) of this section. If the individual discloses that he or she owes child support obligations and is determined to be eligible for unemployment compensation, the commissioner shall notify the state or local child support enforcement agency enforcing those obligations that the individual has been determined to be eligible for unemployment compensation.

(2) The commissioner shall deduct and withhold from any unemployment compensation payable to an individual who owes child support obligations as defined under subsection (7) of this section:

(a) The amount specified by the individual to the commissioner to be deducted and withheld under this subsection, if neither (b) nor (c) of this subsection is applicable;

(b) The amount (if any) determined pursuant to an agreement submitted to the commissioner under section 454(20)(B)(i) of the Social Security Act by the state or local child support enforcement agency, unless (c) of this subsection is applicable; or

(c) Any amount otherwise required to be so deducted and withheld from such unemployment compensation pursuant to legal process, as that term is defined in section 462(e) of the Social Security Act, properly served upon the commissioner.

(3) Any amount deducted and withheld under subsection (2) of this section shall be paid by the commissioner to the appropriate state or local child support enforcement agency.

(4) Any amount deducted and withheld under subsection (2) of this section shall be treated for all purposes as if it were paid to the individual as unemployment compensation and paid by that individual to the state or local child support enforcement agency in satisfaction of the individual's child support obligations.

(5) For the purposes of this section, 'unemployment compensation' means any compensation payable under this chapter including amounts payable by the commissioner under an agreement under any federal law providing for compensation, assistance, or allowances with respect to unemployment.

(6) This section applies only if appropriate arrangements have been made for reimbursement by the state or local child support enforcement agency for the administrative costs incurred by the commissioner under this section which are attributable to child support obligations being enforced by the state or local child support enforcement agency.

(7) 'Child support obligations' as used in this section means only those obligations which are being enforced pursuant to a plan described in section 454 of the Social Security Act which has been approved by the Secretary of Health and Human Services under part D of Title IV of the Social Security Act.

(8) 'State or local child support enforcement agency' as used in this section means any agency of this state or a political subdivision thereof operating pursuant to a plan described in subsection (7) of this section.

Sec. 11. Section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090 are each amended to read as follows:

Whenever a support lien or order to withhold and deliver is served upon any person, firm, corporation, association, political subdivision or department of the state asserting a support debt against earnings and there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state, any such earnings, RCW 7.33.280 shall not apply, but fifty percent of the disposable earnings shall be exempt and may be disbursed to the debtor whether such earnings are paid, or to be paid weekly, monthly, or at other intervals and whether there be due the debtor earnings for one week or for a longer period. The lien or order to withhold and deliver shall continue to operate and require said person, firm, corporation, association, political subdivision, or department of the state to withhold the nonexempt portion of earnings at each succeeding earnings disbursement interval until the entire amount of the support debt

stated in the lien or order to withhold and deliver has been withheld. As used in this chapter, the term 'earnings' means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and, notwithstanding any other provision of law making such payments exempt from garnishment, attachment, or other process to satisfy support obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and section 10 of this 1982 act, or Title 74 RCW. Earnings shall specifically include all gain derived from capital, from labor, or from both combined, not including profit gained through sale or conversion of capital assets. The term 'disposable earnings' means that part of the earnings of any individual remaining after the deduction from those earnings of any amount required by law to be withheld.

NEW SECTION. Sec. 12. There is added to chapter 50.04 RCW a new section to read as follows:

The term 'employment' shall not include services rendered by any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW when:

(1) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

(2) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

(3) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; and

(4) The work which the person, firm, or corporation has contracted to perform is:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

Sec. 13. Section 11, chapter 35, Laws of 1945 and RCW 50.04.100 are each amended to read as follows:

'Employment', subject only to the other provisions of this title, means personal service, of whatever nature, unlimited by the relationship of master and servant as known to the common law or any other legal relationship, including service in interstate commerce, performed for wages or under any contract calling for the performance of personal services, written or oral, express or implied.

Except as provided by section 12 of this 1982 act, personal services performed for an employing unit by one or more contractors or subcontractors acting individually or as a partnership, which do not meet the provisions of RCW 50.04.140, shall be considered employment of the employing unit: PROVIDED, HOWEVER, That such contractor or subcontractor shall be an employer under the provisions of this title in respect to personal services performed by individuals for such contractor or subcontractor.

Sec. 14. Section 101, chapter 35, Laws of 1945 as last amended by section 11, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.130 are each amended to read as follows:

No employing unit which contracts with or has under it any contractor or subcontractor who is an employer under the provisions of this title shall make any payment or advance to, or secure any credit for, such contractor or subcontractor on account of any contract or contracts to which said employing unit is a party unless such contractor or subcontractor has paid contributions, due or to become due for wages paid or to be paid by such contractor or subcontractor for personal services performed pursuant to such contract or subcontract, or has furnished a good and sufficient bond acceptable to the commissioner for payment of contributions, interest, and penalties. Failure to comply with the provisions of this section shall render said employing unit directly liable for such contributions, interest, and penalties and the commissioner shall have all of the remedies of collection against said employing unit under the provisions of this title as though the services in question were performed directly for said employing unit.

For the purposes of this section, a contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW shall not be responsible for any contributions for the work of any subcontractor if:

(1) The subcontractor is currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

(2) The subcontractor has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

(3) The subcontractor maintains a separate set of books or records that reflect all items of income and expenses of the business; and

(4) The subcontractor has contracted to perform:

(a) The work of a contractor as defined in RCW 18.27.010; or

(b) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

Sec. 15. Section 74, chapter 35, Laws of 1945 as last amended by section 5, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.060 are each amended to read as follows:

(1) An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has been discharged or suspended for misconduct connected with his or her work and thereafter until he or she has obtained work and earned wages of not less than the suspended weekly benefit amount in each of five calendar weeks. Alcoholism shall not constitute a defense to disqualification from benefits due to misconduct.

(2) An individual who has been discharged because of a felony or a gross misdemeanor of which he or she has been convicted, or has admitted committing to a competent authority, and which is connected with his or her work shall be disqualified from receiving any benefits for which base year credits are earned in any employment prior to the discharge. Such disqualification begins with the first day of the calendar week in which he or she has been discharged, and all benefits paid during the period the individual was disqualified shall be recoverable, notwithstanding RCW 50.20.190, 50.24.020, or any other provision of this title.

NEW SECTION. Sec. 16. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Additional benefits are payable to eligible persons who are 'exhaustees' with respect to extended benefits. The term 'exhaustee' is deemed to have the same meaning with respect to extended benefits as with respect to regular benefits.

(2) Additional benefit amounts shall be calculated pursuant to RCW 50.22.050(1) and (2).

(3) Eligibility for additional benefits shall be determined and benefits shall be paid under the same terms and conditions as for extended benefits.

NEW SECTION. Sec. 17. There is added to chapter 50.22 RCW a new section to read as follows:

(1) Notwithstanding RCW 50.22.010(8)(a), an additional benefit period is established for weeks of unemployment which begin on or after the third Sunday following the effective date of this section: PROVIDED, That this additional benefit period will be suspended during any week in which an extended benefit period is not in effect.

(2) Additional benefits are payable to otherwise eligible persons who have exhausted extended benefits on their most recent claim after July 1, 1980.

(3) The department of employment security shall develop proposals for a permanent program of additional benefits. The proposals shall address alternatives in trigger mechanisms, benefit levels, eligibility requirements, and unemployment insurance financing.

NEW SECTION. Sec. 18. There is added to chapter 50.22 RCW a new section to read as follows:

Benefits under sections 16 and 17 of this act are not payable for weeks of unemployment beginning after June 30, 1983, unless extended by law.

NEW SECTION. Sec. 19. There is added to chapter 50.04 RCW a new section to read as follows:

The term 'employment' does not include services performed in a barber shop licensed under chapter 18.15 RCW or a hairdressing or cosmetology shop licensed under chapter 18.18 RCW if:

(1) The use of the shop facilities by the individual performing the services is contingent upon compensation to the shop owner; and

(2) The individual performing the services receives no compensation or other consideration from the owner for the services performed.

NEW SECTION. Sec. 20. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is hereby declared to be inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 21. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 22. Sections 2, 9, 10, 11, 16, and 17 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Section 4 of this act shall take effect on September 26, 1982.*

On page 1, line 1 of the title, after "compensation;" strike the remainder of the title and insert "amending section 11, chapter 35, Laws of 1945 and RCW 50.04.100; amending section 59, chapter 35, Laws of 1945 as last amended by section 149, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 50.12-.200; amending section 74, chapter 35, Laws of 1945 as last amended by section 5, chapter 33, Laws of 1977 ex. sess. and RCW 50.20.060; amending section 2, chapter 1, Laws of 1971 as last amended by section 7, chapter 35, Laws of 1981 and RCW 50.22.010; amending section 4, chapter 1, Laws of 1971 as amended by section 9, chapter 35, Laws of 1981 and RCW 50.22.030; amending section 6, chapter 1, Laws of 1971 and RCW 50.22.050; amending section 7, chapter 1, Laws of 1971 and RCW 50.22.060; amending section 101, chapter 35, Laws of 1945 as last amended by section 11, chapter 190, Laws of 1979 ex. sess. and RCW 50.24.130; amending section 124, chapter 35, Laws of 1945 and RCW 50.32.080; amending section 183, chapter 35, Laws of 1945 and RCW 50.40.020; amending section 9, chapter 164, Laws of 1971 ex. sess. as last amended by section 10, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.090; adding new sections to chapter 50.04 RCW; adding a new section to chapter 50.20 RCW; adding new sections to chapter 50.22 RCW; adding a new section to chapter 50.32 RCW; adding a new section to chapter 50.40 RCW; creating a new section; providing an effective date; and declaring an emergency."

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Cole, Eberle, Garrett, Hankins, Lux, Monohon.

Voting nay: Representatives Clayton, Flanagan, Smith.

Passed to Committee on Rules for second reading.

March 6, 1982

SUBSTITUTE SENATE BILL NO. 4586, Prime Sponsor: Committee on State Government, reorganizing various agencies of state government. Reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Addison, Chairman; Walk, Ranking Minority Member; Erak, Greengo, Hankins, Nickell, O'Brien, Rinehart, Rust.

Voting nay: Representatives Garson, Vice Chairman; Kaiser, Sprague.

Not signing report: Representative Nelson (D).

Not attending: Representatives Johnson, Lewis, McGinnis.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SENATE BILL NO. 4733, Prime Sponsor: Senator Hayner, modifying certain methods of handling juvenile offenders. Reported by Committee on Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 5 after "Procedures to" strike all material through line 9 and insert "fix and collect fees for diversion services as provided in section 9 of this 1982 act."

On page 3, line 24, after "Restitution limited to" insert "not more than twice"

On page 3, line 26, strike "((and))" and insert "and"

On page 3, line 33, after "sessions" strike all material down to and including "pay" on page 4, line 1

On page 7, beginning on line 19, strike all of subsection (13)

Beginning on page 11, line 35, strike all of subsection (4)

On page 17, line 2, after "person" insert "who is"

On page 17, after line 9, add a new section to read as follows:

*NEW SECTION. Sec. 9. There is added to chapter 13.04 RCW a new section to read as follows:

The parents of a child who receives diversion services or other person legally obligated to care for and support the child shall pay the fee charged for such services. The fee shall be fixed and collected by the juvenile court administrator. It shall not exceed seventy-five dollars and shall be reasonably within the ability to pay of the parents or other person charged. The amounts collected shall be deposited in the county general fund and shall be used solely to pay or help pay for the costs of the diversion program. In no case may the payment or nonpayment of the fee influence the amount of community service, or restitution or other obligations imposed by the diversion unit on the child with respect to whom the fee has or has not been paid.

This section shall expire June 30, 1983."

Renumber the remaining sections consecutively.

On page 1, line 16 of the title, after "13.50.050;" insert "adding a new section to chapter 13.04 RCW;"

On page 1, beginning on line 18 of the title, after "penalties;" strike the remainder of the title and insert "and providing an expiration date."

Signed by Representatives Houchen, Chairwoman; Leonard, Vice Chairwoman; Owen, Ranking Minority Member; Berleen, Granlund, Nickell, Scott, Struthers, Van Dyken, Walk.

Passed to Committee on Rules for second reading.

March 6, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944, Prime Sponsor: Committee on Ways and Means, modifying provisions on oil and gas and imposing oil and gas severance and conservation taxes. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 3, chapter 146, Laws of 1951 and RCW 78.52.010 are each amended to read as follows:

For the purposes of this chapter, unless the text otherwise requires, the following terms shall have the following meanings:

(1) ("Waste" in addition to its ordinary meaning, shall mean 'physical waste' as that term is generally understood in the petroleum industry, and shall include:

(a) The inefficient, excessive or improper use of, or unnecessary dissipation of, reservoir energy, and the locating, spacing, drilling, equipping, operating or producing of any oil or gas well in a manner which results, or tends to result in reducing the quantity of oil or gas to be recovered from any pool in this state under operations conducted in accordance with good oil field engineering practices;

(b) The inefficient above ground storage of oil, and the locating, spacing, drilling, equipping, operating or producing of any oil or gas well in a manner causing, or tending to cause, unnecessary or excessive surface loss or destruction of oil or gas;

(c) Producing oil or gas in such manner as to cause unnecessary water channeling, or coning;

- (d) The operation of an oil well with an inefficient gas-oil ratio;
- (e) The drowning with water of any pool or part thereof capable of producing oil or gas, except insofar as, and to the extent, authorized by the committee hereunder;
- (f) Underground waste;
- (g) The creation of unnecessary fire hazards;
- (h) The escape into the open air, from a well producing oil or gas, of gas in excess of the amount which is reasonably necessary in the efficient development or production of the well;
- (i) The use of gas for the manufacture of carbon black, except as provided in section 15 hereof; and
- (j) Production of oil and gas in excess of the reasonable market demand.
- (2) 'Oil' shall mean crude petroleum oil, and any other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods or which are the result of condensation of gaseous hydrocarbons before or after they leave the reservoir, other than gas produced in association with oil and commonly known as wet gas.
- (3) 'Gas' shall mean all natural gas and other fluid or gaseous hydrocarbons not defined as oil in subsection (2) above, including wet gas, dry gas and residue gas as those terms are generally understood in the petroleum industry.
- (4) 'Pool' shall mean an underground reservoir proven to contain a common accumulation of oil or gas, or both. Each zone of a general structure which is completely separated from any other zone in the structure is covered by the term 'pool' as herein used.
- (5)) 'Certificate of clearance' means a permit prescribed by the committee for the transportation or the delivery of oil, gas, or product.
- (2) 'Committee' means the oil and gas conservation committee.
- (3) 'Developed area' means a development unit on which a well has been completed that is capable of producing oil or gas, or the acreage that is otherwise attributed to a well by the committee for production purposes.
- (4) 'Division order' means an instrument showing percentage of royalty or rental divisions among royalty owners.
- (5) 'Field' shall mean the general area which is underlaid by at least one pool and shall include the underground reservoir or reservoirs containing oil or gas, or both. The words 'field' and 'pool' mean the same thing when only one underground reservoir is involved; however, 'field', unlike 'pool', may relate to two or more pools.
- (6) 'Gas' means all natural gas, all gaseous substances, and all other fluid or gaseous hydrocarbons not defined as oil in subsection (12) of this section, including but not limited to wet gas, dry gas, and residue gas as those terms are generally understood in the petroleum industry.
- (7) 'Illegal oil' or 'illegal gas' means oil or gas that has been produced from any well within the state in violation of this chapter or any rule or order of the committee.
- (8) 'Illegal product' means any product derived in whole or part from illegal oil or illegal gas.
- (9) 'Interested person' means a person with an ownership interest in oil or gas within a development unit.
- (10) 'Just and equitable share of the production' means, as to each separately owned tract or combination of tracts, that part of the authorized production from a pool that is substantially in the proportion that the amount of recoverable oil or gas under the developed area of the separately owned tract or tracts bears to the recoverable oil or gas or both in the total of the developed areas in the pool.
- (11) 'Lessee' shall mean the lessee under an oil and gas lease, or the owner of any land or mineral rights who conducts or carries on any oil and gas development, exploration and operation thereon, or any person so operating for himself or others.
- ((+7)) (12) 'Oil' means crude petroleum, oil, condensate, distillate and all hydrocarbons, regardless of gravity, that are in the liquid phase in the original reservoir conditions and are produced and recovered at the wellhead in liquid form.
- (13) 'Owner' means the person who has the right to drill into and produce from a pool and to appropriate the oil or gas that he produces therefrom, either for himself or for himself and others.
- (14) 'Operator' means the person who operates a well or unit or who has been designated or accepted by the owners to operate the well or unit.
- (15) 'Person' shall mean any natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or representative of any kind and includes any governmental or political subdivision or any agency thereof.
- (16) 'Pool' means an underground reservoir proven to contain a common accumulation of oil or gas, or both. Each zone of a general structure which is completely separated from any other zone in the structure is covered by the term 'pool' as used in this subsection.
- (17) 'Product' means any commodity made from oil or gas.
- (18) 'Protect correlative rights' means that the action of regulation by the committee should afford a reasonable opportunity to each person entitled thereto to recover or receive without causing waste his just and equitable share of the oil and gas in this tract or tracts or its equivalent.
- (19) 'Supervisor' means the state oil and gas supervisor.
- (20) 'Waste' in addition to its ordinary meaning, means and includes:
- (a) 'Physical waste' as that term is generally understood in the petroleum industry;
- (b) The inefficient, excessive, or improper use of, or unnecessary dissipation of, reservoir energy; and the locating, spacing, drilling, equipping, operating, or producing of any oil or gas well in a manner which results

or tends to result in reducing the quantity of oil or gas to be recovered from any pool in this state under operations conducted in accordance with prudent and proper practices or that causes or tends to cause unnecessary wells to be drilled;

(c) The inefficient above ground storage of oil; and the locating, spacing, drilling, equipping, operating, or producing of any oil or gas well in a manner causing or tending to cause unnecessary or excessive surface loss or destruction of oil or gas;

(d) Producing oil or gas in such manner as to cause unnecessary water channeling, or coning;

(e) The operation of an oil well with an inefficient gas-oil ratio;

(f) The drowning with water of any pool or part thereof capable of producing oil or gas, except insofar as and to the extent authorized by the committee;

(g) Underground waste;

(h) The creation of unnecessary fire hazards;

(i) The escape into the open air, from a well producing oil or gas, of gas in excess of the amount which is reasonably necessary in the efficient development or production of the well;

(j) The use of gas for the manufacture of carbon black, except as provided in RCW 78.52.140;

(k) Production of oil and gas in excess of the reasonable market demand;

(l) The flaring of gas from gas wells except that necessary for the drilling, completing, or testing of the well; and

(m) The unreasonable damage to natural resources through destruction of the surface, soils, wildlife, fish, or aquatic life from or by oil and gas operations.

Sec. 2. Section 5, chapter 146, Laws of 1951 and RCW 78.52.025 are each amended to read as follows:

The committee shall hold hearings or meetings at such times and places as may be found by the committee to be necessary to carry out its duties. The committee may establish its own rules for the conduct of public hearings or meetings consistent with other applicable provisions of law.

NEW SECTION. Sec. 3. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

The department of natural resources shall be the designated agent of the committee for the purpose of carrying out the provisions of this chapter. It shall administer and enforce this chapter consistent with the policies adopted by the committee together with all rules and regulations and orders adopted by the committee as may be delegated by the committee including but not limited to issuing permits, orders, enforcement actions, and other actions or decisions authorized to be made under this chapter. The department shall designate a state oil and gas supervisor who shall be charged with such duties as may be delegated by the department. The department of natural resources may designate one or more deputy supervisors and employ all personnel necessary including the appointment of examiners as provided in section 6 of this act to carry out the provisions of this chapter and rules, regulations, and orders of the committee.

Sec. 4. Section 10, chapter 146, Laws of 1951 and RCW 78.52.040 are each amended to read as follows:

It shall be the duty of the committee to administer and enforce the provisions of this chapter by the adoption of policies, ~~(and all)~~ rules, regulations and orders promulgated hereunder, and the committee is hereby vested with jurisdiction, power and authority, over all persons and property, public and private, necessary to enforce effectively such duty.

NEW SECTION. Sec. 5. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

(1) The committee may make such investigations as deemed necessary to carry out the provisions of this chapter.

(2)(a) The committee and the department may require:

(i) Identification of ownership of oil or gas wells, producing leases, tanks, plants, structures, and facilities for the transportation or refining of oil or gas;

(ii) The making and filing of well logs, core samples, directional surveys, and reports on well locations, drilling, and production;

(iii) Testing of oil and gas wells;

(iv) The drilling, casing, operating, and plugging of wells in such manner as to prevent the escape of oil or gas out of one pool into another, the intrusion of water into an oil or gas pool, and the pollution of fresh water supplies by oil, gas, or salt water and to prevent blow-outs, cavings, seepages, and fires;

(v) The furnishing of adequate security acceptable to the department, conditioned on the performance of the duty to plug each dry or abandoned well, the duty to reclaim and clean up well drilling sites, the duty to repair wells causing waste, the duty to comply with all rules and regulations adopted by the committee, orders of the committee and the department, all permit conditions, and the provisions of this chapter;

(vi) The operation of wells with efficient gas-oil and water-oil ratios and may fix these ratios and limit production from wells with inefficient gas-oil or water-oil ratios;

(vii) The production of oil and gas from wells be accurately measured by such means and upon such standards prescribed by the committee, and that every person who produces, sells, purchases, acquires, stores, transports, treats, or processes oil or gas in this state shall keep and maintain for a period of five years within this state complete and accurate records thereof, which records shall be available for examination by the committee or its agents at all reasonable times, and that every person file with the committee such reports as it may prescribe with respect to the oil or gas; and

(viii) Compliance with all applicable laws and rules and regulations of this state.

(b) The committee and the department may regulate:

(i) The drilling, producing, locating, spacing, and plugging of wells and all other operations for the production of oil or gas;

(ii) The shooting and chemical treatment of wells;

(iii) Operations to increase ultimate recovery such as cycling of gas, the maintenance of pressure, and the introduction of gas, water, or other substances into producing formations;

(iv) Disposal of salt water and oil field brines;

(v) The storage, processing, and treatment of natural gas and oil produced within this state;

(vi) Reclamation and clean-up of all well sites and any areas directly affected by the drilling, production, operation, and plugging of oil and gas wells.

(c) The committee may limit and prorate oil and gas produced in this state and may restrict future production of oil and gas from any pool in such amounts as will offset and compensate for any production determined by the committee to be in excess of or in violation of 'oil allowable' or 'gas allowable' as defined herein.

(d) The committee may classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter.

(e) The committee and the department may regulate oil and gas exploration and drilling activities so as to prevent or remedy unreasonable or excessive waste or surface destruction.

NEW SECTION. Sec. 6. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

In addition to the powers and authority, either express or implied, granted to the Washington oil and gas conservation committee by virtue of the statutes of the state of Washington, the committee may, in prescribing its rules of order or procedure in connection with hearings or other proceedings before the committee, provide for the appointment of one or more examiners to conduct a hearing or hearings with respect to any matter properly coming before the committee and to make reports and recommendations to the committee with respect thereto. Any member of the committee, or its staff or any other person designated by the committee, or the supervisor when this power is so delegated, may serve as an examiner. The committee may also provide for additional compensation to be paid to a member of the committee or any other person designated by the committee for services performed as an examiner. The committee shall promulgate rules and regulations with regard to hearings to be conducted before examiners.

Sec. 7. Section 14, chapter 146, Laws of 1951 and RCW 78.52.120 are each amended to read as follows:

DRILLING PERMIT REQUIRED. Any person desiring or proposing to drill any well in search of oil or gas, before commencing the drilling of any such well, shall ~~((notify))~~ apply to the committee upon such form as the committee may prescribe, and shall pay to the state treasurer a fee of ~~((one hundred))~~ two thousand dollars for each such ~~((permit))~~ application. The drilling of any well is prohibited until ~~((such notice))~~ a permit is given and such fee has been paid as herein provided. The committee shall have the authority to prescribe that the said form indicate the exact location of such well, the name and address of the owner, operator, contractor, driller, and any other person responsible for the conduct of drilling operations, the proposed depth of the well, the elevation of the well above sea level, and such other relevant and reasonable information as the committee may deem necessary or convenient to effectuate the purposes of this chapter. The committee may issue a permit if it finds that the proposed drilling will be consistent with the provisions of this chapter and the rules and regulations and orders adopted under this chapter and is not detrimental to the public interest. The committee may impose such conditions and restrictions as it deems necessary to protect the public interest and to ensure compliance with the chapter and the rules and regulations and orders adopted by the committee. Nothing in this chapter shall be construed as authorizing the committee to issue a permit to drill on lands underlaid by the minerals of a nonconsenting owner in a pooled development, unless the person seeking the permit has a legal right to drill on such lands.

Sec. 8. Section 22, chapter 146, Laws of 1951 and RCW 78.52.200 are each amended to read as follows:

DEVELOPMENT UNITS AUTHORIZED. When necessary to prevent waste, to avoid the drilling of unnecessary wells, or to protect correlative rights, the committee, upon its own motion or upon application of any interested persons, shall establish ~~((well-spacing areas. Well-spacing areas))~~ development units covering any pool. Development units when established shall be of uniform size and shape for the entire pool, except that when found to be necessary for any of the purposes above-mentioned, the committee is authorized to divide any pool into zones and establish ~~((well-spacing areas))~~ development units for each zone, which ~~((areas))~~ units may differ in size and shape from those established in any other zone.

Sec. 9. Section 23, chapter 146, Laws of 1951 and RCW 78.52.210 are each amended to read as follows:

(1) The size and the shape of ~~((well-spacing areas))~~ development units are to be such as will result in the efficient and economical development of the pool as a whole, and the size shall not be smaller than the maximum area that can be efficiently and economically drained by one well ~~((nor greater than forty acres for oil or one hundred sixty acres for gas only))~~. If sufficient data is not available to determine the area that can be efficiently and economically drained by one well, the committee may establish temporary units to ensure the orderly development of the pool pending availability of the necessary data.

(2) The committee may establish development units of different sizes or shapes for different parts of a pool or may grant exceptions to the size or shape of any development unit or units. Where development units of different sizes or shapes exist in a pool, the committee shall, if necessary, make such adjustment of the

allowable production from the well or wells drilled thereon so that each operator in each development unit will have a reasonable opportunity to produce or receive his just and equitable share of the production.

Sec. 10. Section 24, chapter 146, Laws of 1951 and RCW 78.52.220 are each amended to read as follows:

LOCATION OF WELL. An order establishing ((well-spacing areas)) development units for a pool shall specify the size and shape of each area and the location of the permitted well thereon in accordance with a reasonable uniform spacing plan. Upon application and after hearing, if the committee finds that a well drilled at the prescribed location would not produce in paying quantities, or that surface conditions would substantially add to the burden or hazard of drilling such well, or for other good cause shown, the committee is authorized to enter an order permitting the well to be drilled at a location other than that prescribed by such ((spacing)) development order; however, the committee shall include in the order suitable provisions to prevent the production from the ((well-spacing area)) drilling unit of more than its just and equitable share of the oil and gas in the pool.

Sec. 11. Section 25, chapter 146, Laws of 1951 and RCW 78.52.230 are each amended to read as follows:

ORDER MUST COVER ENTIRE POOL—MODIFICATIONS. An order establishing ((well-spacing areas)) development units for a pool shall cover all lands determined or believed to be underlain by such pool, and may be modified by the committee from time to time to include additional areas determined to be underlain by such pool. When the committee determines that it is necessary for the prevention of waste, or to avoid the drilling of unnecessary wells, or to protect correlative rights, an order establishing ((well-spacing areas)) development units in a pool may be modified by the committee to increase the size of ((well-spacing areas)) development units in the pool or any zone thereof, or to permit the drilling of additional wells on a reasonably uniform plan in the pool, or any zone thereof.

Sec. 12. Section 26, chapter 146, Laws of 1951 and RCW 78.52.240 are each amended to read as follows:

POOLING. When two or more separately owned tracts are embraced within a ((well-spacing area)) development unit, or when there are separately owned interests in all or a part of the ((well-spacing area)) development unit, then the owners and lessees thereof may ((combine)) pool their interests for the development and operation of the ((well-spacing area)) development unit. In the absence of this voluntary ((combination)) pooling, the committee, upon the application of any interested person, shall enter an order ((combining)) pooling all interests, including royalty interests, overriding royalty interests, and production payments, in the ((well-spacing area)) development unit for the development and operation thereof. Each such ((combining)) pooling order shall be made after notice and hearing((-and)). The applicant(s) shall have the burden of proving that all reasonable efforts have been made to obtain the consent of others owners. The order shall be upon terms and conditions that are just and reasonable((-and that afford to the owner of each tract or interest in the well-spacing area the opportunity to recover or receive, without unnecessary expense or penalty, his just and equitable share)), and shall provide that production and costs associated with such a pooled unit shall be allocated among the owners in the same proportion each owner's acreage in the unit bears to the total acreage in the unit, or in any other manner approved by the committee. Operations incident to the drilling of a well upon any portion of a ((well-spacing area)) development unit covered by a ((combining)) pooling order shall be deemed, for all purposes, the conduct of such operations upon each separately owned tract in the ((well-spacing area)) development unit by the several owners thereof. That portion of the production allocated to each tract included in a ((well-spacing area)) development unit covered by a ((combining)) pooling order shall, when produced, be deemed for all purposes, including the payment of royalty, overriding royalty, or production payments, to have been produced from such tract by a well drilled thereon.

Sec. 13. Section 27, chapter 146, Laws of 1951 and RCW 78.52.250 are each amended to read as follows:

POOLED INTEREST IN DEVELOPMENT UNITS—ALLOCATION OF COSTS. (1) Each such ((combining)) pooling order shall make provision for the drilling and operation of a well on the ((well-spacing area)) development unit, and for the payment of the reasonable actual cost thereof by the owners of interests in the ((well-spacing area)) development unit, plus a reasonable charge for supervision and storage facilities. In the event of any dispute as to such costs the committee shall determine the proper costs. ((If one or more of the owners shall drill and operate, or pay the expenses of drilling and operating the well for the benefit of others, then, the owner or owners so drilling or operating shall have a lien on the share of production from the well-spacing area accruing to the interest of each of the other owners for the payment of his proportionate share of such expenses. Such lien shall be only against the said share of production, and not against any interest, estate, equity or title of any of the said other owners. All the oil and gas subject to the lien shall be marketed and sold and the proceeds applied in payment of the expenses secured by such lien.))

(2) As to each owner who fails or refuses to agree to bear his proportionate share of the costs of the drilling and operation of the well, the order shall provide for reimbursement of the person or persons paying for the drilling and operation of the well of the nonconsenting owner's share of the costs out of, and only out of, production from the unit representing his interest, excluding royalty or other interests not obligated to pay any part of the cost thereof. The committee may provide that the consenting owners shall own and be entitled to receive all production from the well, after payment of royalty as provided in the lease, if any, applicable to each tract or interest, and obligations payable out of production, until the consenting owners have been paid the amount due under the terms of the pooling order or order settling any dispute. The order shall determine the interest of each owner in the unit and shall provide that each consenting owner shall be

entitled to receive, subject to royalty or similar obligations, the share of the production of the well applicable to his interest in the unit, and, unless he has agreed otherwise, his proportionate part of the nonconsenting owner's share of the production until costs are recovered as provided in this subsection; and that each nonconsenting owner shall be entitled to receive, subject to royalty or similar obligations, the share of production from the well applicable to his interest in the unit after the consenting owners have recovered from the nonconsenting owner's share of production the following:

(a) In respect to every such well one hundred percent of the nonconsenting owner's share of the cost of surface equipment beyond the wellhead connections (including, but not limited to, stock tanks, separators, treaters, pumping equipment, and piping), plus one hundred percent of the nonconsenting owner's share of the cost of operation of the well commencing with first production and continuing until the consenting owners have recovered these costs, it being intended that the nonconsenting owner's share of these costs and equipment will be that interest which would have been chargeable to the nonconsenting owner had he initially agreed to pay his share of the costs of the well from the beginning of the operation; and

(b) As to a well which is within a proven field as determined by the committee one hundred and fifty percent, and as to a well which is drilled to a different pool or in an area not proven for production two hundred percent, of that portion of the costs and expenses of staking the location, wellsite preparation, rights of way, rigging-up, drilling, reworking, deepening or plugging back, testing, and completing, after deducting any cash contributions received by the consenting owners, and also either one hundred and fifty percent or two hundred percent, whichever is appropriate under this subsection, of that portion of the cost of equipment in the well, up to and including the wellhead connections.

(3) The operator of a well under a pooling order in which there are nonconsenting owners shall furnish the nonconsenting owners with monthly statements of all costs incurred, together with the quantity of oil or gas produced, and the amount of proceeds realized from the sale of this production during the preceding month. If and when the consenting owners recover from a nonconsenting owner's relinquished interest the amounts provided for in subsection (2) of this section, the relinquished interest of the nonconsenting owner shall automatically revert to him; and the nonconsenting owner shall own the same interest in the well and the production from it and be liable for the further costs of the operation as if he had participated in the initial drilling and operation. A nonconsenting owner of a tract in a drilling unit which is not subject to any lease or other contract for the development thereof for oil and gas shall be deemed to have a basic landowners' royalty of one-eighth, or twelve and one-half percent, of the production allocated to the tract, unless a higher royalty has been established in the pool, then the nonconsenting owner of a nonleased tract shall receive the highest royalty. This is a presumed royalty which shall exist during the time that costs and expenses are being recovered pursuant to subsection (2) of this section only. The intent of this section is to assure that the owner of a nonleased tract receive a royalty free of all costs at all times. Notwithstanding anything herein to the contrary, such owners shall at all times retain his entire ownership of his property, including his right to execute an oil and gas lease on any terms he desires to negotiate, and be entitled to all production subject to subsection (2) of this section.

NEW SECTION. Sec. 14. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

UNITIZATION OF OIL AND GAS FIELDS. (1) The committee may upon the application of any interested party, or upon its own motion, hold a hearing to consider the need for the operation as a unit of one or more pools or parts of them in a field.

(2) The committee shall make an order providing for the unit operation of a pool or part of it, if the committee finds that:

(a) This operation will increase the ultimate recovery of oil and/or gas, or will prevent waste, or will protect correlative rights, or will prevent the drilling of unnecessary wells; and

(b) The value of the estimated additional recovery of oil and/or gas exceeds the estimated additional cost incident to conducting these operations.

(3) The order shall be upon terms and conditions that are fair and reasonable and shall prescribe a plan for unit operations that shall include:

(a) A description of the pool or pools or parts thereof to be so operated, termed the unitized area;

(b) A statement of the nature of the operations contemplated;

(c) An allocation of production and costs to the separately owned tracts in the unitized area. The allocation shall be in accord with the agreement, if any, of the interested parties. If there is no such agreement, production shall be allocated in a manner calculated to ensure that each separately owned tract or combination of tracts receives its just and equitable share of production. Costs shall be allocated on a fair and reasonable basis;

(d) A provision, if necessary, permitting any owner who was involuntarily unitized to pay his share of costs out of his share of production, plus a risk and interest penalty not to exceed fifty percent of that owner's share of the costs;

(e) A provision for the supervision and conduct of the unit operations, in respect to which each owner shall have a vote with a value corresponding to the percentage of the costs of unit operations chargeable against its interest;

(f) The time when the unit operations shall commence and the manner in which and the circumstances under which the unit operations shall terminate; and

(g) Such additional provisions are found to be appropriate for carrying out the unit operations and for the protection of correlative rights.

(4) No order of the committee providing for unit operations may become effective until the plan for unit operations approved by the committee has been approved in writing by those persons who, under the committee's order, will be required to pay at least seventy-five percent of the costs of unit operations, and also by those persons who own at least sixty-five percent of the production or proceeds thereof that will be credited to interests which are free of costs, such as royalties, overriding royalties, and production payments, and the committee has made a finding, either in the order providing for unit operations or in a supplemental order, that the plan for unit operations has been so approved. If the plan for unit operations has not been so approved at the time the order providing for unit operations is made, the committee shall upon application and notice hold such supplemental hearings as may be required to determine if and when the plan for unit operations has been so approved. If the persons owning required percentages of interest in the unitized area do not approve the plan for unit operations within a period of six months from the date on which the order providing for unit operations is made, or within such additional period or periods of time as the committee prescribes, the order will become unenforceable and shall be vacated by the committee.

(5) An order providing for unit operations may be amended by an order made by the committee in the same manner and subject to the same conditions as an original order providing for unit operations, but (a) if such an amendment affects only the rights and interests of the owners, the approval of the amendment by those persons who own interests that are free of costs is not required, and (b) no such amending order may change the percentage for the allocation of oil and gas as established for any separately owned tract or combination of tracts by the original order, except with the consent of all persons owning oil and gas rights in the tract, or may change the percentage for the allocation of cost as established for any separately owned tract or combination of tracts by the original order, except with the consent of all persons owning an interest in the tract or combination of tracts.

(6) The committee, by order, may provide for the unit operation of a reservoir or reservoirs or parts thereof that include a unitized area established by a previous order of the committee. The order, in providing for the allocation of unit production, shall first treat the unitized area previously established as a single tract and the portion of the new unit production allocated thereto shall then be allocated among the separately owned tracts included in the previously established unit area in the same proportions as those specified in the previous order.

(7) After the date designated by the committee the unit plan shall be effective, oil and gas leases within the unit area, or other contracts pertaining to the development thereof, shall be changed to meet the provisions and requirements of the unit plan, but otherwise shall remain in full force and effect. Operations carried on under and in accordance with the unit plan shall be regarded and considered as fulfillment of and compliance with all of the provisions, covenants, and conditions, expressed or implied, of the several oil and gas leases upon lands within the unit area, or other contracts pertaining to the development thereof, insofar as the leases, or other contracts, may relate to the pool or field subject to the unit plan. The amount of production apportioned and allocated, pursuant to the unit plan, to each separately owned tract within the unit area, and only that amount, regardless of the location of the well within the unit area from which it may be produced, and regardless of whether it be more or less than the amount of production from the well, if any, on each separately owned tract, shall for all intents, uses, and purposes be regarded as production from the separately owned tract, and lessees shall not be obligated to pay royalties or make other payments, required by the oil and gas leases or other contracts affecting each such separately owned tract, on production in excess of that amount apportioned and allocated to the separately owned tract pursuant to the unit plan.

(8) The portion of the unit production allocated to any tract, and the proceeds from its sale, shall be the property and income of the several persons to whom, or to whose credit, the same are allocated or payable under the order providing for unit operations.

(9) No division order or other contract relating to the sale, purchase, or production from a separately owned tract or combination of tracts may be terminated by the order providing for unit operations but shall remain in force and shall apply to oil and gas allocated to the tract until terminated by amended division order or contract in accordance with the provisions of the order.

(10) Except to the extent that parties affected so agree, no order providing for unit operations may be construed to result in a transfer of all or any part of the title of any person to the oil and gas rights in any tract in the unit area. All property, whether real or personal, that may be acquired in the conduct of unit operations hereunder shall be acquired for the account of the owners within the unit area, and shall be the property of such owners in the proportion that the expenses of unit operations are charged.

(11) After the date designated by the order of the committee that a unit plan shall become effective, the operation of any well in the unit area defined in the order by persons other than the unit operator or under the unit operator's authority, or except in the manner and to the extent provided in such unit plan, shall be unlawful and is hereby prohibited.

(12) A certified copy of any order of the committee entered under this section is entitled to be recorded in the auditor's office in the county or counties wherein all or any portion of the unit area is located and, if recorded, shall constitute notice thereof to all persons.

NEW SECTION, Sec. 15. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

RATABLE TAKES REQUIRED—OIL. Each person now or hereafter purchasing or taking for transportation oil from any owner or producer shall purchase or take ratably without discrimination in favor of any owner or operator over any other owner or producer in the same pool offering to sell his oil produced therefrom to such person. If any such person purchasing or taking for transportation oil does not have need for all such oil lawfully produced within a pool, or if for any reason it is unable to purchase all of such oil,

then it shall purchase from each operator in a pool ratably, taking and purchasing the same quantity of oil from each well to the extent that each well is capable of producing its ratable portion without waste, but nothing in this section may be construed to require more than one pipeline connection for each producing well. If any such purchaser or person taking oil for transportation is likewise an operator or owner, he is hereby prohibited from discriminating in favor of his own production, or production in which he may be interested, and his own production shall be treated as that of any other operator or owner.

NEW SECTION. Sec. 16. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

RATABLE TAKES REQUIRED—GAS. Each person now or hereafter purchasing or taking for transportation gas produced from gas wells or from oil wells from any owner or operator shall purchase or take ratably without discrimination in favor of any owner or operator, over any other owner or operator in a pool. Such person shall not discriminate in the quantities purchased, the basis of measurement, or the gas transportation facilities afforded for gas of like quantity, quality, and pressure available from such wells. For the purpose of this section and section 15 of this act, reasonable differences in quantity taken or facilities afforded shall not constitute unreasonable discrimination if the differences bear a fair relationship to differences in quality, quantity, or pressure of the gas available or the acreage attributable to the well, market requirements, or to the relative lengths of time during which such gas will be available to the purchaser. If any such purchaser or person taking gas for transportation is likewise an operator or owner, he is hereby prohibited from discriminating in favor of his own production or production in which he may be interested, and his own production shall be treated as that of any other operator or owner producing from gas wells in the same pool.

NEW SECTION. Sec. 17. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

The committee may administer and enforce the provisions of sections 15 and 16 of this act in the same manner and in accordance with the same procedures provided for in this chapter for the enforcement of the provisions of this chapter and the rules and regulations and orders of the committee.

Sec. 18. Section 50, chapter 148, Laws of 1951 and RCW 78.52.470 are each amended to read as follows:

OBJECTIONS TO RULE, REGULATION, ORDER—HEARING REQUIRED—MODIFICATION. Any person adversely affected by any (~~rule, regulation or~~) order of the committee may, within thirty days from the effective date of such (~~rule, regulation or~~) order, apply for a hearing with respect to any matter determined therein (~~the application shall be granted or denied by the committee within fifteen days from the date the same shall be filed, and if the hearing is not granted within fifteen days it shall be taken as denied. If a hearing is granted, the matter shall be set for hearing by the committee within thirty days after the same is submitted~~). No cause for action arising out of any (~~rule, regulation or~~) order of the committee shall accrue in any court to any (~~party~~) person unless such (~~party~~) person makes application for a hearing as herein provided. Such application shall set forth specifically the ground on which the applicant considers such (~~rule, regulation or~~) order to be unlawful or unreasonable. No party shall, in any court, urge or rely upon any ground not set forth in said application. (~~A rule, regulation, or~~) An order made in conformity to a decision resulting from a hearing which abrogates (~~it~~), changes or modifies the original (~~rule, regulation or~~) order, shall have the same force and effect as an original. Such hearing shall constitute a 'contested case' under the provisions of chapter 34.04 RCW and shall be conducted in accordance with such provisions.

Sec. 19. Section 51, chapter 146, Laws of 1951 and RCW 78.52.480 are each amended to read as follows:

APPEAL FROM ORDER—RIGHTS OF COMMITTEE. In proceedings for review of (~~a rule, regulation or~~) an order or decision of the committee, the committee shall be a party to the proceedings and shall have all rights and privileges granted by this chapter to any other party to such proceedings.

NEW SECTION. Sec. 20. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

(1) Any operation or activity that is in violation of any applicable laws, rules and regulations, orders, or permit conditions shall be subject to suspension by order of the committee. The order may suspend the operations authorized in the permit in whole or in part. The order may only be issued after the committee has first notified the operator or owner of the violations and the operator or owner has failed to comply with the directions contained in the notification within ten days of service of the notice: **PROVIDED,** That the committee may issue the suspension order immediately without notice if the violations are or may cause substantial harm to adjacent property, persons, or public resources or has or may result in the pollution of waters in violation of any state or federal law, rule, or regulation. Any suspension shall remain in effect until the violations are corrected or other directives are complied with unless declared invalid by the committee after hearing or an appeal. The suspension order and notification, where applicable, shall specify the violations and the actions required to be undertaken to be in compliance with such laws, rules and regulations, orders, or permit conditions. The order and notification may also require remedial actions to be undertaken to restore, prevent, or correct activities or conditions which have resulted from the violations. The order and notification may be directed at the operator or owner or both.

(2) The suspension order shall constitute a final and binding order unless the owner or operator to whom the order is directed requests a hearing before the committee within fifteen days after service of the order. Such a request shall not in itself stay or suspend the order and the operator and owner shall comply with the order immediately upon service. The committee or its chairman shall have the authority to stay or

suspend in whole or in part the suspension order pending a hearing if so requested. The hearing shall constitute a contested case hearing under the provisions of chapter 34.04 RCW.

NEW SECTION, Sec. 21. There is added to chapter 146, Laws of 1951 and to chapter 78.52 RCW a new section to read as follows:

ILLEGAL OIL, GAS, AND PRODUCT. (1) The sale, purchase, acquisition, transportation, refining, processing, or handling of illegal oil, gas, or product is prohibited. However, no penalty by way of fine may be imposed upon a person who sells, purchases, acquires, transports, refines, processes, or handles illegal oil, gas, or product unless (a) the person knows, or is put on notice of, facts indicating that illegal oil, illegal gas, or illegal product is involved, or (b) the person fails to obtain a certificate of clearance with respect to the oil, gas, or product if prescribed by rule or order of the committee, or fails to follow any other method prescribed by an order of the committee for the identification of the oil, gas, or product.

(2) Illegal oil, illegal gas, and illegal product are declared to be contraband and are subject to seizure and sale as provided in this section. Seizure and sale shall be in addition to all other remedies and penalties provided in this chapter for violations relating to illegal oil, illegal gas, or illegal product. Whenever the committee believes that any oil, gas, or product is illegal, the committee acting through the attorney general, shall bring a civil action in rem in the superior court of the county where the oil, gas, or product is found, to seize and sell the same, or the committee may include such an action in rem in any suit brought for an injunction or penalty involving illegal oil, illegal gas, or illegal product. Any person claiming an interest in oil, gas, or product affected by any such action in rem shall have the right to intervene as an interested party.

(3) Actions for the seizure and sale of illegal oil, illegal gas, or illegal product shall be strictly in rem and shall proceed in the name of the state as plaintiff against the oil, gas, or product as defendant. No bond or similar undertaking may be required of the plaintiff. Upon the filing of the petition for seizure and sale, the clerk of the court shall issue a summons, with a copy of the petition attached thereto, directed to the sheriff of the county or to such other officer or person that the court may designate, for service upon all persons having or claiming any interest in the oil, gas, or product described in the petition, which summons shall command these persons to appear and answer within twenty days after the issuance and service of the summons. These persons need not be named or otherwise identified in the summons, and the summons shall be served by posting a copy of the summons, with a copy of the petition attached, on any public bulletin board or at the courthouse of a county where the oil, gas, or product involved is located, and by posting another copy at or near the place where the oil, gas, or product is located. The posting shall constitute notice of the action to all persons having or claiming any interest in the oil, gas, or product described in the petition. In addition, if the court, on a properly verified petition, or affidavit or affidavits, or oral testimony, finds that grounds for seizure and for sale exist, the court shall issue an immediate order of seizure, describing the oil, gas, or product to be seized, and directing the sheriff of the county to take the oil, gas, or product into his actual or constructive custody and to hold the same subject to further orders of the court. The court, in the order of seizure, may direct the sheriff to deliver the oil, gas, or product seized by him under the order to a court-appointed agent. The agent shall give bond in an amount and with such surety as the court may direct, conditioned upon his compliance with the orders of the court concerning the custody and disposition of the oil, gas, or product.

(4) Any person having an interest in oil, gas, or product described in order of seizure and contesting the right of the state to seize and sell the oil, gas, or product may obtain its release prior to sale upon furnishing to the sheriff a bond approved by the court. The bond shall be in an amount equal to one hundred fifty percent of the market value of the oil, gas, or product to be released and shall be conditioned upon either redelivery to the sheriff of the released commodity or payment to the sheriff of its market value, if and when ordered by the court, and upon full compliance with all other further orders of the court.

(5) If the court, after a hearing upon a petition for the seizure and sale of oil, gas, or product, finds that the oil, gas, or product is contraband, the court shall order its sale by the sheriff in the same manner and upon the same notice of sale as provided by law for the sale of personal property on execution of judgment entered in a civil action, except that the court may order that the oil, gas, or product be sold in specified lots or portions and at specified intervals. Upon sale, title to the oil, gas, or product sold shall vest in the purchaser free of all claims, and it shall be legal oil, legal gas, or legal product in the hands of the purchaser.

(6) All proceeds, less costs of suit and expenses of sale, which are derived from the sale of illegal oil, illegal gas, or illegal product, and all amounts paid as penalties provided for by this chapter, shall be paid into the state treasury for the use of the committee in defraying its expenses in the same manner as other funds provided by law for the use of the committee.

NEW SECTION, Sec. 22. TITLE. This chapter may be cited as the oil and gas severance and conservation act.

NEW SECTION, Sec. 23. LEGISLATIVE DECLARATION AND PURPOSE. (1) This chapter establishes an excise tax on the severance of oil and gas within this state, a conservation excise tax on the severance of oil and gas within this state to provide funds for the administration of the state oil and gas conservation laws, and procedures for the efficient administration and collection of both taxes.

(2) The legislature recognizes that when nonrenewable natural resources such as oil and gas are removed from the earth or waters within the state of Washington, the development and production of these resources contribute to the economy of the state, but nonetheless create expenses of diverse nature to the state and local governments. The legislature therefore seeks to compensate for these additional costs of government through the adoption of this chapter which provides a severance tax on the privilege of removing nonrenewable resources at appropriate rates of taxation.

(3) The legislature recognizes further that it is appropriate to levy a charge on the severance of oil and gas within the state to support the administration of the state oil and gas conservation laws, which are intended to avoid waste and promote the maximum economic recovery from these vital resources. Therefore, the legislature hereby adopts a separate oil and gas conservation tax for this purpose.

(4) The legislature intends that the revenues derived from the severance tax be used by the state for public purposes, including the meeting of those public needs occasioned by the oil and gas activity being taxed. The legislature further intends that a portion of these revenues go to local governments to help compensate for the cost of nonrenewable resource development.

NEW SECTION. Sec. 24. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 22 through 33 of this act:

(1) 'Department' means the department of revenue;

(2) 'Oil' means crude oil, condensate, distillate or other oil, or other liquid hydrocarbon extracted from the earth or waters in this state, regardless of gravity;

(3) 'Gas' means natural gas and casinghead gas, or other gaseous hydrocarbon taken from the earth or waters in this state, regardless of whether produced from a gas well or from a well also producing oil or other liquid hydrocarbons;

(4) 'Value' means the market value at the time and point of production, as established by the actual price received for products, or as otherwise provided in this chapter;

(5) 'Interest owner' means a person owning an entire or fractional interest of whatever kind or nature in the products at the time of severance, or who has a right to a monetary payment which is determined by the value of such products which individually or in any combination represent one hundred percent of the interests in oil and gas produced;

(6) 'Purchaser' means a person who is the first purchaser of a product from the producer at or after severance;

(7) 'Product' or 'products' means oil or gas, individually or any combination thereof;

(8) 'Severance' means the taking from the earth or waters in this state of any product in any manner;

(9) 'Person' means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, corporation, joint venture club, company, joint stock company, business trust, municipal corporation or other public entity, or any other group or combination acting as a unit;

(10) 'Production' means those acts taken to sever, contain, save, and measure any product and shall include any acts otherwise necessary to bring it to merchantable condition or pipeline quality in any manner, except that production shall not include those acts which constitute the operation of a gas distribution business within the meaning of RCW 82.16.010(8), as now existing or hereafter amended; and

(11) 'Producer' means any person who produces or extracts in any manner any oil or gas by taking it from the earth or waters of this state, whether produced or extracted by that person or some other person on his behalf, by lease, contract, or otherwise.

(12) 'Point of production' means:

(a) For oil, the point where it is first metered or measured (by automatic custody transfer meter, tank gauge, or other approved method) in a condition of pipeline quality on the premises of the lease or property from which it is recovered; however, if the oil is not of pipeline quality when it is removed from the premises of the lease or property from which it is recovered or if the oil recovered from a lease or property is not metered or measured (by automatic custody transfer meter, tank gauge, or other approved method) on the premises of the lease or property from which it is recovered, then the point of production is the off premises location where the oil is first metered or measured (by automatic custody transfer meter, tank gauge, or other approved method) in a condition of pipeline quality;

(b) For gas recovered from or in association with oil, the value of the gas at the point where it is first accurately metered or measured after separation from the oil;

(c) For gas not recovered from or in association with oil, the point where it is first accurately metered or measured on or near the premises of the lease or property from which the gas is recovered.

NEW SECTION. Sec. 25. IMPOSITION OF SEVERANCE TAX. (1) There is imposed, and the department of revenue shall collect, in addition to any other tax, an excise tax upon the severance of oil and gas from all lands or waters in this state, including all publicly owned lands or waters, and Indian, Indian tribe, and Indian lands or waters to the extent authorized or permitted by law; less the value of any part thereof, the ownership or right to which is exempt from taxation under section 28 of this act.

(2) The rate of the tax imposed is seven percent of the value of the oil and gas at the time and point of production.

NEW SECTION. Sec. 26. IMPOSITION OF CONSERVATION TAX. (1) There is imposed, and the department of revenue shall collect, in addition to any other tax, a conservation tax upon the severance of oil and gas from all lands or waters in this state, including all publicly owned lands or waters, and Indian, Indian tribe, and Indian lands or waters to the extent authorized or permitted by law; less the value of any part thereof, the ownership or right to which is exempt from taxation under section 28 of this act. The revenues derived from this tax shall be used for the administration of the oil and gas conservation laws of this state.

(2) The tax imposed under this section shall be one-fourth of one percent of the value of the oil and gas at the time and point of production.

NEW SECTION. Sec. 27. IMPOSITION, PAYMENT, AND COLLECTION OF TAX. (1) The taxes imposed by this chapter on the severance of oil and gas shall be the primary liability of the producer. Except as provided in subsection (2) of this section such taxes shall be paid by the producer or the purchaser

purchasing such oil or gas from the producer. The producer or purchaser shall deduct and withhold the ratable share of such tax from payments made to other interest owners in proportion to such interest, or by the purchaser to the producer, and remit the same to the department: PROVIDED, HOWEVER, That the failure of the purchaser to pay such tax shall not relieve the producer from the payment of the same if the purchaser does not account for and pay the tax to the department. The department shall have a first and paramount lien on all oil and gas produced in this state in the possession of the producer or the purchaser to secure the payment of the taxes imposed by this chapter including any interest and penalties thereon. It shall be the duty of every person producing oil and gas in the state to determine that the tax has been or will be paid by the persons liable therefor. If the purchaser has failed to pay to the department the tax imposed by this chapter, the department may proceed directly against the purchaser's bond or other asset for collection of the tax. In the event the bond and other assets fail to satisfy the tax obligation, the department may proceed directly against the producers in proportion to the ratable interest for collection of the balance of the tax due; and all other provisions of chapter 82.32 RCW including those relative to interest and penalties shall apply.

(2) If oil or gas on which the severance and conservation taxes are due is not sold at the time of production but is retained by the producer, the producer shall pay to the department the taxes due with respect to such oil or gas not sold, and shall deduct or withhold the ratable share of the tax from payments made to other interest owners in proportion to such interest.

(3) If oil or gas is sold, retained, or used under circumstances in which the sale price or the value reported to the department does not represent the market value then prevailing for oil or gas of like kind, character, quality, or comparable source from which the product is produced, the department may require the taxes to be paid upon the basis of the prevailing price then being paid at the time and point of production of other oil or gas of the same kind, character, quality, and comparable source.

(4) The taxes imposed by this chapter shall be borne ratably by all interest owners, including royalty interests, and producers and purchasers are authorized to withhold from any payment due any interest owners the proportionate tax due: PROVIDED, That such withholding may not be required by producers and purchasers with respect to contracts or other agreements entered into prior to the effective date of this act.

NEW SECTION. Sec. 28. EXEMPTIONS. The following interests are exempt from the taxes imposed under this chapter:

(1) The interest of this state and any political subdivisions of this state in any oil or gas or in the proceeds thereof;

(2) The interest of the United States in any oil or gas or in the proceeds thereof;

(3) Any interest in oil or gas used in producing or drilling operations for repressuring or recycling purposes; and

(4) Any interest in oil or gas reinjected for storage, provided that any subsequent removal thereof from storage for sale, use, or other retention shall constitute a severance within the meaning of this chapter.

NEW SECTION. Sec. 29. APPLICABILITY OF GENERAL ADMINISTRATIVE PROVISIONS—DEPARTMENTAL RULES, BOND. (1) All of chapter 82.32 RCW, except RCW 82.32.040 and except as otherwise provided in sections 30 and 33 of this act, applies to the tax imposed by this chapter, in addition to any other provisions of law for the payment and enforcement of the tax imposed by this chapter. The department of revenue shall by rule provide for the effective administration of this chapter by rules which shall include, but not be limited to, the determination of the time and point of production and a determination of methods of metering and measuring the production of oil and gas reasonably required for such administration.

(2) The department may require a sufficient bond from every person required to make or file a return or report or to pay tax under this chapter. The bond shall run to the state and shall be conditioned upon the making and filing of reports or returns as required by law, upon compliance with the rules of the department, and for the prompt payment, by the principal on the bond, of all taxes due the state under this chapter.

NEW SECTION. Sec. 30. FILING OF STATEMENTS. (1) Payment of the taxes imposed by this chapter shall be due forty-five days after the end of the month in which the oil and gas is severed along with reports and forms for submission under oath as the department shall prescribe, providing:

(a) A full description of the property by lease name, control number, subdivision of quarter section, section, township, and range, or other legal description by metes and bounds, from which the oil or gas was produced;

(b) The name of the producer;

(c) The gross amount of oil or gas purchased;

(d) The total value of the oil or gas at the price paid for it, if purchased at the time of production; and

(e) The prevailing market price of oil or gas sold at the time of production.

(2) A purchaser may furnish a verified copy of the regular settlement sheet in use by the purchaser instead of the statement required by subsection (1) of this section if the settlement sheet contains the information required therein.

(3) Every person who has produced oil or gas shall file with the department a sworn statement on forms prescribed by the department, giving the following:

(a) A full description of the property by lease name, control number, subdivision of quarter section, section, township, and range, or other legal description by metes and bounds, from which the oil or gas was produced;

(b) The gross amount of oil or gas produced and saved;

(c) The name of the producer and the price received for the oil or gas;

(d) The name of each purchaser of oil or gas from the producer during the quarter; and

(e) Any other information the department requires, including but not limited to leases and contracts entered into by producers, purchasers, and other interest owners.

(4) Taxes derived from all taxable leases may be reported on one report or return by each taxpayer. This single report or return shall contain separate schedules for oil and for gas. Such report shall contain the necessary information for each separate lease and well.

NEW SECTION. Sec. 31. COLLECTION AND DEPOSIT OF REVENUE FROM THE SEVERANCE TAX—SHARING OF REVENUE FROM THE SEVERANCE TAX WITH LOCAL GOVERNMENTS. (1) The department of revenue shall deposit ninety percent of the money collected by it under section 25 of this act in the general fund.

(2) The local government severance taxation account is hereby established in the general fund into which ten percent of the severance taxes collected under section 25 of this act shall be deposited. Moneys in this account shall be used solely for making distributions to those local governments in which oil and gas production activity occurs, after appropriation by statute.

NEW SECTION. Sec. 32. DISPOSITION OF CONSERVATION TAX. (1) There is hereby created in the general fund the oil and gas conservation revolving account into which the money collected under section 26 of this act shall be deposited.

(2) Money in the account shall be used exclusively for the administration of the oil and gas conservation laws of the state. The oil and gas conservation committee or its successor may use moneys in the fund for such purposes as appropriated by the legislature. At the end of each biennium, the state treasurer shall transfer any balance in the oil and gas conservation revolving account to the general fund.

NEW SECTION. Sec. 33. LIEN FOR TAX. In addition to the lien given in section 27 of this act, a tax imposed by this chapter (including any penalties and interest thereon) is a first and paramount lien against the purchaser's and producer's real and personal property. The provisions of this chapter making the purchaser liable to pay the tax do not release the producer from liability to pay the tax, if the tax is not paid.

NEW SECTION. Sec. 34. There is added to chapter 84.36 RCW a new section to read as follows:

The following property is exempt from taxation:

Interests in oil or gas reserves and leases on the rights to develop and operate upon or within any lands and waters of this state for oil and gas and the property rights attached to or inherent therein: PROVIDED, That this section does not in any way exempt machinery, appliances, pipelines, tanks, vehicles, and other equipment used in the development or operation of said leases or rights, or used in the transportation of oil or gas.

NEW SECTION. Sec. 35. Sections 22 through 33 of this act shall constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 36. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 37. The following acts or parts of acts are each repealed:

- (1) Section 12, chapter 146, Laws of 1951 and RCW 78.52.070;
- (2) Section 13, chapter 146, Laws of 1951 and RCW 78.52.100;
- (3) Section 17, chapter 146, Laws of 1951 and RCW 78.52.150;
- (4) Section 18, chapter 146, Laws of 1951 and RCW 78.52.160;
- (5) Section 19, chapter 146, Laws of 1951 and RCW 78.52.170;
- (6) Section 20, chapter 146, Laws of 1951 and RCW 78.52.180;
- (7) Section 21, chapter 146, Laws of 1951 and RCW 78.52.190;
- (8) Section 36, chapter 146, Laws of 1951 and RCW 78.52.340;
- (9) Section 38, chapter 146, Laws of 1951 and RCW 78.52.350;
- (10) Section 39, chapter 146, Laws of 1951 and RCW 78.52.360;
- (11) Section 40, chapter 146, Laws of 1951 and RCW 78.52.370;
- (12) Section 41, chapter 146, Laws of 1951 and RCW 78.52.380;
- (13) Section 42, chapter 146, Laws of 1951 and RCW 78.52.390;
- (14) Section 43, chapter 146, Laws of 1951 and RCW 78.52.400;
- (15) Section 44, chapter 146, Laws of 1951 and RCW 78.52.410;
- (16) Section 45, chapter 146, Laws of 1951 and RCW 78.52.420;
- (17) Section 46, chapter 146, Laws of 1951 and RCW 78.52.430;
- (18) Section 47, chapter 146, Laws of 1951 and RCW 78.52.440;
- (19) Section 52, chapter 146, Laws of 1951 and RCW 78.52.490;
- (20) Section 53, chapter 146, Laws of 1951, section 138, chapter 81, Laws of 1971 and RCW 78.52.500;

(21) Section 54, chapter 146, Laws of 1951 and RCW 78.52.510; and

(22) Section 55, chapter 146, Laws of 1951 and RCW 78.52.520.

NEW SECTION. Sec. 38. Section captions as used in this act do not constitute any part of the law.*

On page 1, on line 15 of the title, after "78.52.480;" strike all material down through "82.04.100;" on line 17 and insert "adding a new section to chapter 84.36 RCW;"

Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Williams.

Voting nay: Representatives Struthers, Vice Chairman; Warnke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 9:00 a.m., Monday, March 8, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-SEVENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, March 8, 1982.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Eng, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Meera Sood and Patrick Verhey. Prayer was offered by The Reverend Lester G. Olson, Gloria Dei Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 7, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 259,
HOUSE BILL NO. 375,
HOUSE BILL NO. 401,
HOUSE BILL NO. 442,
SUBSTITUTE HOUSE BILL NO. 476,
HOUSE BILL NO. 572,
SECOND SUBSTITUTE HOUSE BILL NO. 658,
ENGROSSED HOUSE BILL NO. 752,
SUBSTITUTE HOUSE BILL NO. 834,
SUBSTITUTE HOUSE BILL NO. 965,
HOUSE BILL NO. 1144,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 7, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3233,
SENATE BILL NO. 3495,
SENATE BILL NO. 4484,
SENATE BILL NO. 4506,
SENATE BILL NO. 4549,
SENATE BILL NO. 4558,
SENATE BILL NO. 4571,
SUBSTITUTE SENATE BILL NO. 4708,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3233,
SENATE BILL NO. 3495,
SENATE BILL NO. 4484,
SENATE BILL NO. 4506,
SENATE BILL NO. 4549,
SENATE BILL NO. 4558,
SENATE BILL NO. 4571,
SUBSTITUTE SENATE BILL NO. 4708.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 47, by Representatives Dawson, Ehlers, Johnson, Grimm, Nelson (G), Walk, Salatino, Kaiser, Granlund, Wang, Nisbet, Gallagher, Brown, Winsley, Leonard and Van Dyken:

Congratulating NORAD.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 47 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), further consideration of House Concurrent Resolution No. 47 was deferred, and the resolution was ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Nelson (G), SUBSTITUTE SENATE BILL NO. 4824 was rereferred from Committee on Ways and Means to Committee on Appropriations - General Government.

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

Mr. Heck moved that the Rules Committee be relieved of ENGROSSED SENATE BILL NO. 4661 and the bill be placed on the second reading calendar.

Mr. Heck spoke in favor of the motion, and Mr. Nelson (G) spoke against it.

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

Ms. Monohon spoke in favor of the motion, and Mr. Hastings spoke against it.

POINT OF INQUIRY

Mr. Nelson (G), yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Nelson, I'm interested in clarification of your remarks. Are we to be encouraged to believe that at 1 o'clock a motion will be made to place this bill before us today?"

Mr. Nelson (G): "I merely indicated, Representative Thompson, that there is a Rules Committee meeting at 1:00 p.m. Each measure looked at there is studied as to its merits; we take into consideration what is on the calendar, what bills need to be passed in order to improve the economy of this state, and there's no way that anyone in any position can guarantee that a bill is going to make it out of the Rules Committee."

Representatives Thompson, Erak and Ehlers spoke in favor of the motion, and Representatives Barr and Nelson (G) spoke against it.

Representatives Heck and Monohon spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion to relieve the Rules Committee of Engrossed Senate Bill No. 4461, and placed it on the second reading calendar, and the motion was lost by the following vote: Yeas, 44; nays, 52; not voting, 2.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eng, Fiske.

ENGROSSED SENATE BILL NO. 3898, by Senators Rasmussen and Jones (by Utilities and Transportation Commission request):

Changing the name of the utilities and transportation commission to the public service commission.

The bill was read the second time.

Mr. Ellis moved adoption of the following amendments by Representatives Ellis, Eberle, Warnke and Thompson:

On page 64, line 7 after "commission" insert "and the costs incurred by the office of attorney general to employ such technical assistants or hire consultants as may be necessary to represent the people of the state of Washington pursuant to RCW 80.01.100"

On page 64, after line 8 insert the following:

NEW SECTION. Sec. 65. There is appropriated to the office of the attorney general for the biennium ending June 30, 1983, the sum of two hundred forty thousand dollars, or so much thereof as may be necessary, from the public service revolving fund to carry out the purposes of RCW 80.01.080."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Bond: "Mr. Speaker, I'd like to challenge the scope and object of this amendment. It seems to me this is a simple name-change bill, and I think it should be construed narrowly in that regard."

SPEAKER'S RULING

The Speaker: "Representative Bond, the Speaker has examined the title of Engrossed Senate bill No. 3898 and finds that it is an act relating to state government. The amendment by Representative Ellis and others seeks to amend various sections of the bill in accordance with the sections that are in the bill. The bill, however, is a single object bill, and the object seems to be simply changing the name of the Utilities and Transportation Commission to the Washington Public Service Commission. It would appear to the Speaker that a substantive amendment to a technical correction bill is well beyond the object of the bill. I would go on to say further that if we would start making substantive amendments to technical correction bills, it would preclude in the future the making of technical bills, of any legislature being willing to take up that kind of technical correction bill for fear of it becoming more than originally intended."

MOTION

Ms. Becker moved that the Rules Committee be relieved of HOUSE BILL NO. 1091.

Ms. Becker spoke in favor of the motion.

Mr. Hastings moved that the motion by Ms. Becker be tabled.

ROLL CALL

The Clerk called the roll on the motion to table the motion to relieve the Rules Committee of House Bill No. 1091, and the motion was carried by the following vote: Yeas, 57; nays, 39; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Fancher, Fiske, Flanagan, Garson, Grengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Sherman, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoop, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ellis, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Eng, Nelson G. A.

The House resumed consideration of Engrossed Senate Bill No. 3898.

Mr. Eberle moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 80.01 RCW a new section to read as follows:

The utilities and transportation commission is hereby redesignated as the public utilities commission. All references in the Revised Code of Washington to the utilities and transportation commission shall be considered references to the public utilities commission.

Sec. 2. Section 35.92.050, chapter 7, Laws of 1965 and RCW 35.92.050 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, and other means of power and facilities for lighting, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, subject to the jurisdiction and control of the public utilities commission, in all things, together with

the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorize the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

Sec. 3. Section 5, chapter 390, Laws of 1955 and RCW 54.16.040 are each amended to read as follows:

A district may purchase, within or without its limits, electric current for sale and distribution within or without its limits, and construct, condemn and purchase, purchase, acquire, add to, maintain, conduct, and operate works, plants, transmission and distribution lines and facilities for generating electric current, operated either by water power, steam, or other methods, within or without its limits, for the purpose of furnishing the district, and the inhabitants thereof and any other persons, including public and private corporations, within or without its limits, with electric current for all uses, with full ~~((and exclusive))~~ authority to sell and regulate and control the use, distribution, rates, service, charges, and price thereof, ~~((free from))~~ subject to the jurisdiction and control of the ((utilities and transportation)) public utilities commission, in all things, together with the right to purchase, handle, sell, or lease motors, lamps, transformers and all other kinds of equipment and accessories necessary and convenient for the use, distribution, and sale thereof: PROVIDED, That the commission shall not supply water to a privately owned utility for the production of electric energy, but may supply, directly or indirectly, to an instrumentality of the United States government or any publicly or privately owned public utilities which sell electric energy or water to the public, any amount of electric energy or water under its control, and contracts therefor shall extend over such period of years and contain such terms and conditions for the sale thereof as the commission of the district shall elect; such contract shall only be made pursuant to a resolution of the commission authorizing such contract, which resolution shall be introduced at a meeting of the commission at least ten days prior to the date of the adoption of the resolution: PROVIDED FURTHER, That it shall first make adequate provision for the needs of the district, both actual and prospective.

Sec. 4. Section 80.04.010, chapter 14, Laws of 1961 as last amended by section 10, chapter 191, Laws of 1979 ex. sess. and RCW 80.04.010 are each amended to read as follows:

As used in this title, unless specifically defined otherwise or unless the context indicates otherwise:

'Commission' means the ~~((utilities and transportation))~~ public utilities commission.

'Commissioner' means one of the members of such commission.

'Corporation' includes a corporation, company, association or joint stock association.

'Person' includes an individual, a firm or copartnership.

'Gas plant' includes all real estate, fixtures and personal property, owned, leased, controlled, used or to be used for or in connection with the transmission, distribution, sale or furnishing of natural gas, or the manufacture, transmission, distribution, sale or furnishing of other type gas, for light, heat or power.

'Gas company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receiver appointed by any court whatsoever, and every city or town, owning, controlling, operating or managing any gas plant within this state.

'Electric plant' includes all real estate, fixtures and personal property operated, owned, used or to be used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing of electricity for light, heat, or power for hire; and any conduits, ducts or other devices, materials, apparatus or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power.

'Electrical company' includes any corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever (other than a railroad or street railroad company generating electricity solely for railroad or street railroad purposes or for the use of its tenants and not for sale to others), ~~((and))~~ every city or town owning, operating or managing any electric plant for hire within this state, and every public utility district distributing electricity under RCW 54.16.040.

'Electrical company' does not include a company or person employing a cogeneration facility solely for the generation of electricity for its own use or the use of its tenants or for sale to an electrical company, state or local public agency, municipal corporation, or quasi municipal corporation engaged in the sale or distribution of electrical energy, but not for sale to others, unless such company or person is otherwise an electrical company.

'Telephone company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, operating or managing any telephone line or part of telephone line used in the conduct of the business of affording telephonic communication for hire within this state.

'Telephone line' includes conduits, ducts, poles, wires, cables, cross-arms, receivers, transmitters, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated, owned or controlled by any telephone company to facilitate the business of affording telephonic communication.

'Telegraph company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, owning, operating or managing any telegraph line or part of telegraph line used in the conduct of the business of affording for hire communication by telegraph within this state.

'Telegraph line' includes conduits, poles, wire, cables, cross-arms, instruments, machines, appliances, instrumentalities and all devices, real estate, easements, apparatus, property and routes used, operated or owned by any telegraph company to facilitate the business of affording communication by telegraph.

'Water system' includes all real estate, easements, fixtures, personal property, dams, dikes, head gates, weirs, canals, reservoirs, flumes or other structures or appliances operated, owned, used or to be used for or in connection with or to facilitate the supply, storage, distribution, sale, furnishing, diversion, carriage, apportionment or measurement of water for power, irrigation, reclamation, manufacturing, municipal, domestic or other beneficial uses for hire.

'Water company' includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, controlling, operating, or managing any water system for hire within this state: PROVIDED, That it shall not include any water system serving less than sixty customers where the average annual gross revenue per customer does not exceed one hundred twenty dollars per year.

'Cogeneration facility' means any machinery, equipment, structure, process, or property, or any part thereof, installed or acquired for the primary purpose of the sequential generation of electrical or mechanical power and useful heat from the same primary energy source or fuel.

'Public service company' includes every gas company, electrical company, telephone company, telegraph company and water company. Ownership or operation of a cogeneration facility does not, by itself, make a company or person a public service company.

The term 'service' is used in this title in its broadest and most inclusive sense.

Sec. 5. Section 80.04.500, chapter 14, Laws of 1961 as amended by section 1, chapter 210, Laws of 1969 ex. sess. and RCW 80.04.500 are each amended to read as follows:

Nothing in this title shall authorize the commission to make or enforce any order affecting rates, tolls, rentals, contracts or charges or service rendered, or the adequacy or sufficiency of the facilities, equipment, instrumentalities or buildings, or the reasonableness of rules or regulations made, furnished, used, supplied or in force affecting any telephone line(~~(- gas plant, electrical plant))~~) or water system owned and operated by any city or town, or to make or enforce any order relating to the safety of any telephone line(~~(- electrical plant))~~) or water system owned and operated by any city or town, but all other provisions enumerated herein shall apply to public utilities owned by any city or town.

NEW SECTION. Sec. 6. The legislative budget committee shall review the progress of the utilities and transportation commission in preparing for the implementation of sections 2 through 5 of this act and shall submit a report of its findings to the legislature during the 1983 legislative session.

NEW SECTION. Sec. 7. Sections 1 through 5 of this act shall take effect on July 1, 1983."

POINT OF ORDER

Mr. Nelson (D): "Mr. Speaker, on the basis of the ruling on the first amendment, I would ask you to rule this beyond the scope and object also."

SPEAKER'S RULING

The Speaker: "Representative Nelson, on the basis of the previous ruling, your point of order is well taken. The amendment is out of order.

Engrossed Senate Bill No. 3898 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4728, by Committee on Financial Institutions and Insurance (originally sponsored by Senators Sellar and Wojahn):

Authorizing the issuance of short-term obligations by municipal corporations.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 26, 1982.)

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

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Garrett:

On page 7, line 11 after the period insert "This section shall not apply to bonds having a total value exceeding fifteen million dollars."

Representatives Patrick, Isaacson and Garrett spoke in favor of the amendment, and it was adopted.

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

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4728 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Eng.

Engrossed Substitute Senate Bill No. 4728 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4425, by Senators Wojahn, Haley, Gaspard and Bottiger:

Revising the requirement for certain port district elections on the issue of increasing the number of commissioners to five.

The bill was read the second time.

Mr. O'Brien moved adoption of the following amendment by Representatives O'Brien, Sommers, Nelson (G), Isaacson and Nelson (D):

On page 1, after line 23 insert the following:

NEW SECTION. Sec. 2. The commissions in port districts with a population of five hundred thousand or more shall join together in a study for the express purpose to promote and encourage a stable, more efficient and more economical system of port operations, and shall report the results of the study to the 1983 regular session of the legislature."

Mr. Tilly moved adoption of the following amendment to the amendment:

On line 2 of the amendment after "more" strike "shall" and insert "may"

Representatives Tilly and Isaacson spoke in favor of the amendment to the amendment, and Ms. Sommers spoke against it.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Ms. Hine.

Ms. Hine: "Representative Isaacson, this is only for ports which have populations of over 500,000. Do the ports you refer to come in this category?"

Mr. Isaacson: "Thank you, Representative Hine, that's one of the problems. We do not have that population basis to argue in their behalf. I'm afraid, by a political maneuver here, business can be taken away from those ports, and they would be left literally high and dry."

Representatives Hine and O'Brien spoke against the amendment to the amendment, and Mr. Tilly spoke again in favor of it.

The amendment to the amendment was adopted.

The Speaker stated the question before the House to be the amendment by Representative O'Brien and others as amended.

Representatives O'Brien and Nelson (D) spoke in favor of the amendment, and Representatives Salatino, Martinis and Kaiser spoke against it.

Ms. Sommers moved adoption of the following verbal amendment to the amendment:

On line 1 of the amendment after "in" and before "port" insert "Puget Sound" and after "districts" strike "with a population of five hundred thousand or more"

Representatives Sommers and Martinis spoke in favor of the amendment to the amendment, and Mr. Ehlers spoke against it.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Sommers, in your use of the words 'Puget Sound' in this amendment to the amendment, what do you consider to be part of Puget Sound? Which ports would that include?"

Ms. Sommers: "It was my intent, Representative Nisbet, that it would include any of the ports. It was my intent to include Clark County as well. I think we would be far better off to include all of the ports in Puget Sound and along the Western Washington shoreline. We're just saying to 'study it.' That's all we're saying, and I certainly meant to include the ports in your area."

Mr. Nisbet spoke against the amendment to the amendment.

Mr. Hastings demanded the previous question and the demand was sustained.

The amendment to the amendment was not adopted.

The Speaker again stated the question before the House to be the amendment by Representative O'Brien and others as amended.

Mr. O'Brien spoke again in favor of the amendment as amended, and it was not adopted.

Mr. Lundquist moved adoption of the following amendments:

On page 1, line 16 strike "thereafter, the same" and insert "(~~thereafter, the same~~), such a"
On page 1, line 17 after "commissioners" insert "of any port district"

POINT OF ORDER

Mr. Salatino: "Mr. Speaker, in relation to Rule 14, there is a bill in committee right now, I believe in Local Government Committee, that deals exactly with this particular subject matter."

SPEAKER'S RULING

The Speaker: "Representative Salatino, the rule states: 'No bill or resolution shall at any time be amended by adding thereto or incorporating therein any other bill or resolution pending before the house.' I would doubt seriously that there is a bill pending before the house that just says 'such a' or 'of any port district.' I would think your point of order is not well taken."

Mr. Salatino: "It's my understanding that Representative Lundquist has a bill in committee dealing with this subject."

The Speaker: "The subject is not the bill. House Rule 14 D says you cannot amend a bill; it has nothing to do with subject matter."

Representatives Lundquist, Struthers and Fiske spoke in favor of the amendment, and Representatives Isaacson, Martinis and Hine spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lundquist to Engrossed Senate Bill No. 4425, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Bond, Brekke, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garrett, Greengo, Hankins, Hastings, Houchen, James, Lundquist, Maxie, McDonald, Mitchell, Nelson D., Nelson G. A., Nisbet, O'Brien, Padden, Patrick, Prince, Rosbach, Smith, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barrett, Becker, Bender, Berleen, Bickham, Brown, Burns, Cantu, Chamberlain, Cole, Dawson, Ehlers, Erak, Gallagher, Galloway, Garson, Granlund, Grimm, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, McCormick, McGinnis, Monohon, Nickell, North, Owen, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sprague, Stratton, Thompson, Tupper, Valle, Walk, Wang, Warnke, Williams, Winsley.

Not voting: Representatives Eng, Sommers, Vander Stoep.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4425, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith,

Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Eng.

Engrossed Senate Bill No. 4425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF INFORMATION

Ms. Sommers: "Mr. Speaker, is it your intention to reconvene the House at 1:30?"

The Speaker: "Yes."

Ms. Sommers: "Mr. Speaker, I have just been advised by the Chairman of Ways and Means that the so-called 'Gang of Eight' meets at 1:30. I really think that it is improper and unfair to expect those who represent the budget and revenue work, those members who are the members on the fiscal committee, to be expected to meet off the floor during the time that the House is in session and conducting important business. I ask you to allow us to meet at a time that does not conflict with normal floor business. We have a responsibility to be here; we have a responsibility to our constituents; we have a responsibility to the taxpayers, and I'm asking you again to allow us to meet when it is not in conflict with our responsibilities to be here on this floor."

The Speaker: "Representative Sommers, my understanding is that the bipartisan committee was established by the four caucuses, and it's up to that so-called 'Gang of Eight,' as you've called them, to find the time mutually agreeable to meet."

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

ENGROSSED SENATE BILL NO. 4544, by Senators von Reichbauer, Vognild and Benitz:

Permitting the department of licensing to supply lists of vehicle owners for certain purposes.

The bill was read the second time.

Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 50th Day, March 1, 1982.)

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

On motion of Mr. Wilson, the following amendment by Representatives Cantu and Wilson was adopted:

On page 1, line 26 after "financing." insert "In the event a list of registered and legal owners of motor vehicles is used for any purpose other than that authorized in subsections (1), (2) and (3) of this section, the manufacturer, governmental agency, financial institution or their authorized agents or contractors responsible for the unauthorized disclosure or use will be denied further access to such information by the department of licensing."

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4544 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 17; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Johnson, Kaiser, King J., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Prince,

Pruitt, Rinehart, Rosbach, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Berleen, Cole, Dickie, Heck, Isaacson, James, King R., Leonard, Lundquist, Owen, Padden, Patrick, Rust, Schmidt, Taylor, Wang.

Not voting: Representatives Eng, North, Warnke.

Engrossed Senate Bill No. 4544 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 47, by Representatives Dawson, Ehlers, Johnson, Grimm, Nelson (G), Walk, Salatino, Kaiser, Granlund, Wang, Nisbet, Gallagher, Brown, Winsley, Leonard and Van Dyken:

Congratulating NORAD.

The resolution was read the second time in full.

WHEREAS, The North American Air Defense agreement between the United States and Canada has been in effect for twenty-five years; and

WHEREAS, The 25th North American Air Defense Region and Air Division and its predecessor unit have been permanently headquartered at McChord Air Force Base, Washington, for the past thirty-one years; and

WHEREAS, The 25th North American Air Defense Region and Air Division has been an integral and crucial participant in the defense of the United States and Canada; and

WHEREAS, The 25th NORAD Region and Air Division has been responsible for the air defense of the state of Washington and its citizens;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, the Senate concurring, That the members of the Legislature salute the officers, men, and women of the 25th NORAD Region and Air Division and congratulate both the past and present members of the unit for many years of unselfish devotion to duty; and

BE IT FURTHER RESOLVED, That the best wishes of the Legislature be extended to the 25th NORAD Region and Air Division with the hope that they will be stationed in Washington for many peaceful years to come.

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

Representatives Dawson and Barnes spoke in favor of the resolution.

House Concurrent Resolution No. 47 was adopted.

SPEAKER'S PRIVILEGE

The Speaker recognized Colonel Potter of the 25th NORAD Region and Air Division and appointed Representatives Granlund, Winsley, Dawson and Johnson to escort him to the rostrum.

The Speaker presented the resolution to Colonel Potter and the committee escorted him to the Senate.

On motion of Mr. Nelson (G), House Concurrent Resolution No. 47 was immediately transmitted to the Senate.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 259,
HOUSE BILL NO. 375,
HOUSE BILL NO. 401,
HOUSE BILL NO. 442,
SUBSTITUTE HOUSE BILL NO. 476,
HOUSE BILL NO. 572,
SECOND SUBSTITUTE HOUSE BILL NO. 658,
HOUSE BILL NO. 752,
SUBSTITUTE HOUSE BILL NO. 834,
SUBSTITUTE HOUSE BILL NO. 965,
HOUSE BILL NO. 1144.

SENATE BILL NO. 4905, by Senators Lee, Bauer and Wilson:

Modifying provisions relating to the governing bodies of merged special purpose districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 26, 1982.)

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

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Becker:

On page 3, following section 3, add new sections to read as follows:

*Sec. 4. Section 63, chapter 72, Laws of 1937 as amended by section 4, chapter 26, Laws of 1965 and RCW 86.09.187 are each amended to read as follows:

Any proposed improvement or part thereof, not exceeding ~~((one))~~ two thousand five hundred dollars in cost may be constructed by the district by force account.

Sec. 5. Section 111, chapter 72, Laws of 1937 and RCW 86.09.331 are each amended to read as follows:

An annual election shall be held for the district on the first Tuesday after the first Monday in ~~((March))~~ February of each year for the election of a director or directors as the case may be and to determine any proposition that may be legally submitted to the electors.

Sec. 6. Section 120, chapter 72, Laws of 1937 and RCW 86.09.358 are each amended to read as follows:

The officers of election for each precinct shall consist of the inspector~~(s)~~ and two judges ~~((and two clerks))~~. These officers shall be known as the election board.

The inspector is chairman of the election board, and may:

First, administer all oaths required in the progress of an election.

Second, appoint judges ~~((and clerks))~~, if, during the progress of the election, any judge ~~((or clerk))~~ ceases to act. Any member of the board of election ~~((or any clerk thereof))~~ may administer and certify oaths required to be administered during the progress of an election. ~~((The board of election for each precinct must, before opening the polls, appoint two persons to act as clerks of the election.))~~ Before opening the polls, each member of the board ~~((and each clerk))~~ must take and subscribe an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath. The polls must be opened at one o'clock p.m. on the day of the election, and be kept open until eight p.m., when the same must be closed. The provisions of the general election law of this state, concerning the form of ballots to be used shall not apply to elections held under this chapter.

Sec. 7. Section 121, chapter 72, Laws of 1937 and RCW 86.09.361 are each amended to read as follows:

All district elections shall be by ballot, and in case of election of officials, the ballots shall designate the term for which the person voted for is a candidate.

Voting may commence as soon as the polls are opened, and may be continued during all the time the polls remain opened. As soon as the polls are closed, the judges shall open the ballot box and commence counting the votes; and in no case shall the ballot box be removed from the room in which the election is held until all the ballots have been counted. The counting of ballots shall in all cases be public. The ballots shall be taken out, one by one, by the inspector or one of the judges, who shall open them and read aloud the names of each person contained therein, and the office for which every such person is voted for, or the proposition and the vote thereon. ~~((Each clerk))~~ The inspector or one of the judges shall write down each office to be filled, and the name of each person voted for such office, or the proposition voted on and shall keep the number of votes by tallies, as they are read aloud by the inspector or the other judge. The counting of votes shall be continued without adjournment until all have been counted.

Sec. 8. Section 123, chapter 72, Laws of 1937 and RCW 86.09.367 are each amended to read as follows:

As soon as all the votes are read off and counted, a certificate shall be drawn upon each of the papers containing the poll list and tallies, or attached thereto, stating the number of votes each person or proposition voted for has received, and designating the office to fill which he was voted for, which number shall be written in figures and in words at full length. Each certificate shall be signed by the ~~((clerks;))~~ judges~~(s)~~ and the inspector. One of said certificates, with the poll list and the tally paper, to which it is attached, shall be sent to the director of the department of ecology and a copy shall be retained by the inspector~~((and preserved by him at least six months))~~: PROVIDED, That in the case of elections to establish the district or to authorize the issuance of bonds, the inspector shall deliver said returns at the expiration of said period to the secretary to be permanently kept with the records of the district.

Sec. 9. Section 124, chapter 72, Laws of 1937 and RCW 86.09.370 are each amended to read as follows:

The ballots shall be ~~((strung upon a cord or thread by the inspector, during the counting thereof, in the order in which they are))~~ entered upon the tally lists by a member of the ~~((clerk; and said))~~ election board. The ballots, together with the other of said certificates, with the poll list and tally paper ~~((to which it is attached)),~~ shall be sealed by the inspector in the presence of the judges~~((and clerks;))~~ and endorsed 'Election returns of (naming the precinct) precinct', and be sent to the director of the department of ecology.

A copy of these materials shall be directed to the secretary of the board of directors, and shall be immediately delivered by the inspector, or by some other safe and responsible carrier, designated by said inspector, to said secretary (and the ballots shall be kept unopened for at least six months, and if any person be of the opinion that the vote of any precinct has not been correctly counted he may appear on the day appointed for the board of directors to open and canvass the returns, and demand a recount of the vote of the precinct that is so claimed to have been incorrectly counted) to be made available to interested persons.

Sec. 10. Section 62, chapter 72, Laws of 1937 and RCW 86.09.184 are each amended to read as follows:

Districts shall have authority to enter into contracts for the construction of any improvement authorized by law, or for labor or materials entering therein, without public bidding, with the written approval and consent of the state director in instances of genuine emergency to be declared by said director or in any instance where the contract price does not exceed ~~((one))~~ two thousand five hundred dollars."

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

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

Mr. Isaacson: "Representative Van Dyken, I see in sections 8 and 9 that copies of it be directed to the Director of the Department of Ecology. Could you explain the purpose of that?"

Mr. Van Dyken: "Representative Isaacson, my directions to the staff in drafting this were to bring the election laws for flood control districts into conformity with the existing election laws for other such districts. I presume the purpose of that language is to notify the Department of Ecology of the results of the election so the department knows who to contact with correspondence regarding the district."

The amendment was adopted.

On motion of Mr. Van Dyken, the following amendment to the title was adopted:

In line 8 of the title before the period insert "; amending section 63, chapter 72, Laws of 1937 as amended by section 4, chapter 26, Laws of 1965 and RCW 86.09.187; amending section 111, chapter 72, Laws of 1937 and RCW 86.09.331; amending section 120, chapter 72, Laws of 1937 and RCW 86.09.358; amending section 121, chapter 72, Laws of 1937 and RCW 86.09.361; amending section 123, chapter 72, Laws of 1937 and RCW 86.09.367; amending section 124, chapter 72, Laws of 1937 and RCW 86.09.370; amending section 62, chapter 72, Laws of 1937 and RCW 86.09.184"

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4905 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, North, Warnke.

Senate Bill No. 4905 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), SUBSTITUTE SENATE BILL NO. 4683 was referred from the second reading calendar to Committee on Rules.

SENATE BILL NO. 4557, by Senators Deccio and Hughes:

Modifying the landlords rights and responsibilities when a tenancy is abandoned.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

Mr. Ellis moved adoption of the committee amendment striking everything after the enacting clause and inserting new material.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Armstrong to the committee amendment:

On page 14, line 13 after "landlord." strike all material through line 27.

Mr. Patrick spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Erak.

Mr. Erak: "Representative Patrick, exactly what do you mean by saying it gives some powers to the tenant and not to the landlord? What kind of powers are we talking about here?"

Mr. Patrick: "Representative Erak, the landlords will have to retain certain property, and if the previous amendment flies, then that property will not have to be retained; the landlord can get rid of it in any manner he sees fit."

Representatives Isaacson, Padden and Barrett spoke against the amendment to the committee amendment, and Mr. Armstrong spoke in favor of it.

Mr. Patrick spoke again in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Armstrong, your arguments for the measure, I understand with one exception and that is that recognizing that these materials are to be stored for sixty days requires a storage fee be established. In the landlord-tenant, act there is no provision for retaining advance deposits from the tenant and it must be returned within fourteen days. Does this law permit that extension of time?"

Mr. Armstrong: "No, this law does not provide for extending the fourteen days to sixty days, the amount of time the landlord has to return the money, but the law also does not require that the money be returned within fourteen days. The only requirement in the landlord-tenant act is that the landlord notify the tenant within fourteen days how much money he or she is retaining for what purpose, so there is no need for such an amendment."

Mr. Isaacson spoke against the amendment to the amendment, and it was not adopted.

Mr. Armstrong moved adoption of the following amendment by Representatives Patrick and Armstrong to the committee amendment:

On page 14, line 16 after "memorabilia," insert "clothes."

Representatives Armstrong and Patrick spoke in favor of the amendment to the amendment, and Mr. Isaacson spoke against it.

Mr. Armstrong spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Scott.

Mr. Scott: "Representative Armstrong, I'm a little bit confused here. Why would the landlord go in and repossess these clothes out of somebody's apartment?"

Mr. Armstrong: "Just to clear it for the next tenant, but what the landlord could do is put the same items in the basement and wait sixty days and comply with the act and with the needs of the tenant."

Mr. Scott spoke against the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Isaacson yielded to question by Ms. Houchen.

Ms. Houchen: "Representative Isaacson, I would like to give you an example of what could happen in my district. I have the Oak Harbor Naval Air Station, as you are aware, and

if a fellow went out on a cruise on active duty for the Navy—I believe they go for about seven months at a time—and had a residence in an apartment in Oak Harbor, and perhaps while he was gone, his wife decided to leave him; what will he find when he gets home?"

Mr. Isaacson: "Representative Houchen, that's a question that defines the extreme of a concern. Again, I think most landlords are honest, and I think in a case like that a landlord must make up his mind and must use good judgment. I think, if you will look at it in that light, he would save the material and store it. Unless he is notified that the place has been abandoned, he doesn't have authority to enter unless he posts a notice on the door, and having so posted a notice and not getting any response, and having it witnessed, then he must take action because he is not getting any return on that investment. In those instances, I think it would behoove him, of course, to store the material, because he would be subject to suit by the person who returned and found his material gone. There is recourse under existing law for him to recover and reclaim losses as a consequence of improper action."

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

The amendment to the amendment was not adopted.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Armstrong to the committee amendment:

On page 14, line 27 after "mailing," insert "If the landlord violates the provisions of this section he shall be liable for twice the actual damages sustained by the tenant."

Representatives Patrick, Padden and Becker spoke in favor of the amendment to the amendment, and Representatives Sanders and Wang spoke against it.

Mr. Patrick spoke again in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Patrick and Armstrong to the committee amendment to Senate Bill No. 4557, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 62; not voting, 4.

Voting yea: Representatives Armstrong, Becker, Berleen, Brekke, Burns, Chandler, Cole, Ehlers, Ellis, Gallagher, Greengo, Kaiser, Kreidler, Leonard, Lux, Maxie, McCormick, Mitchell, Nelson D., Nisbet, North, Padden, Patrick, Pruitt, Rinehart, Rust, Sherman, Sommers, Thompson, Valle, Walk, Wang.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, King J., King R., Lewis, Lundquist, Martinis, McDonald, McGinnis, Monohon, Nelson G. A., Nickell, O'Brien, Owen, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Eng, Hine, Salatino.

The committee amendment was adopted. On motion of Mr. Ellis, the committee amendment to the title was adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4557 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Cole.

Not voting: Representatives Eng, Scott.

Senate Bill No. 4557 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4436, by Senators Hansen and Goltz:

Providing for no implied warranty that livestock are free from disease or breedable.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass as amended. (For amendment, see Journal, 53rd Day, March 4, 1982.)

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

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

Representatives Ellis and Smith spoke in favor of passage of the bill, and Representatives Armstrong and Wang spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4436 as amended by the House, and the bill passed the House by the following vote: Yeas, 67; nays, 30; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Erak, Galloway, Garrett, Grimm, Hine, Kaiser, King J., King R., Kreidler, Lux, Monohon, Nelson D., Nickell, Pruitt, Rinehart, Rust, Sherman, Sommers, Valle, Walk, Wang.

Not voting: Representative Eng.

Senate Bill No. 4436 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3361, by Committee on Local Government (originally sponsored by Senators Fleming and Jones):

Increasing the maximum cost of port district small works projects.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day, March 3, 1982.)

Mr. Lundquist moved adoption of the committee amendments, and Representatives Lundquist and Hine spoke in favor of them.

The committee amendments were adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3361 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 3361 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4638, by Senators Scott, Craswell, Bluechel and Zimmerman (by Department of Retirement request):

Providing for lump sum payments of retirement benefits.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4638, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative King J.

Engrossed Senate Bill No. 4638, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 457,
 SUBSTITUTE HOUSE BILL NO. 626,
 SUBSTITUTE HOUSE BILL NO. 823,
 SUBSTITUTE HOUSE BILL NO. 824,
 SUBSTITUTE HOUSE BILL NO. 875,
 SUBSTITUTE HOUSE BILL NO. 946,
 HOUSE BILL NO. 1017.

THIRD READING

ENGROSSED SENATE BILL NO. 4464, by Senators Gallagher, Peterson, Sellar and Conner (by Department of Fisheries request):

Modifying provisions relating to crab fishing.

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

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4464, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative McGinnis.

Engrossed Senate Bill No. 4464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 as amended by the House, by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing the law relating to state apportionment for pupil transportation.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4675 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 9; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Bender, Brown, Cole, Gallagher, Heck, Rust, Salatino, Wang.

Not voting: Representatives Fiske, King R., Stratton.

Engrossed Substitute Senate Bill No. 4675 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4468 as amended by the House, by Senator Scott:

Revising laws concerning authorized deductions of retirement pay.

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

Mr. Nelson (G) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4468 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Bill No. 4468 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4716, by Committee on Judiciary (originally sponsored by Senator Clarke - by Secretary of State request):

Revising filing procedures, fee schedules, and requirements for laws administered by the secretary of state.

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

Representatives Fiske and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4716, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson,

Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4716, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4449, by Committee on Judiciary (originally sponsored by Senator Conner):

Increasing the number of judges in Clallam and Jefferson counties.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4449, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4713, by Senators Patterson, Hansen, Zimmerman and Bottiger:

Adjusting the distribution formula for the motor vehicle fund.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4713, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Fancher, McCormick, Stratton.

Senate Bill No. 4713, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4438 as amended by the House, by Committee on Agriculture (originally sponsored by Senator Hansen):

Modifying the laws governing commission merchants.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4438 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4438 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4481, by Committee on Local Government (originally sponsored by Senators Sellar and Talley):

Revising review limitations of sewer or water district plans.

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

Representatives Isaacson and Hine spoke in favor of the bill, and Ms. Becker spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4481, and the bill passed the House by the following vote: Yeas, 88; nays, 10; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Brekke, Burns, Cole, Nelson D., North, Rinehart, Sherman, Teutsch, Wang.

Substitute Senate Bill No. 4481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4826, by Committee on Transportation (originally sponsored by Senators Patterson, Gallagher, Peterson and Hansen):

Modifying provisions relating to lights on law enforcement vehicles.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4826, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Owen.

Substitute Senate Bill No. 4826, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4354, by Senator Lee:

Providing choices for personnel or civil service system for employees of combined city and county health departments.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4354, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smikh, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Bill No. 4354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4494, by Committee on Judiciary (originally sponsored by Senators Clarke, Wojahn and Newhouse - by Judicial Council request):

Establishing a uniform procedure for issuing and executing warrants for administrative inspections.

On motion of Mr. Nelson (G), the rules were suspended, and Substitute Senate Bill No. 4494 was returned to second reading for the purpose of amendment.

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

On page 3, beginning on line 22 strike all of section 8 and renumber the remaining sections consecutively.

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

Mr. Ellis spoke in favor of passage of the bill, and Representatives Leonard and Nickell spoke against it.

Mr. Ellis spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4494 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 3; nays, 95; not voting, 0.

Voting yea: Representatives Amen, Barnes, Nelson G. A.

Voting nay: Representatives Addison, Armstrong, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4494 as amended by the House, having failed to receive the constitutional majority, was declared lost.

SENATE BILL NO. 4584 as amended by the House, by Senators Hemstad, Hansen, Benitz and Quigg:

Putting Arabian horse racing under parimutuel betting system.

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

Representatives Kreidler and Struthers spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Struthers, I notice you were very careful in your remarks. Does this have anything to do with gambling?"

Mr. Struthers: "Representative Greengo, I've never known a horse race to be a sure thing."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4584 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Bill No. 4584 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, by Committee on Appropriations - General Government (originally sponsored by Representatives Eberle and Sanders):

Removing authority of state liquor stores to sell beer and wine.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1039, and the bill passed the House by the following vote: Yeas, 71; nays, 27; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, James, King J., Kreidler, Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Bender, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, Granlund, Grimm, Hine, Johnson, Kaiser, King R., Lewis, Lux, Maxie, North, O'Brien, Pruitt, Rust, Sherman, Valle, Van Dyken, Walk, Wang.

Engrossed Substitute House Bill No. 1039, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 912, by Committee on Energy and Utilities (originally sponsored by Representative Barnes - by Governor Spellman request):

Modifying provisions relating to energy facility site evaluation council.

The bill was considered on reconsideration of final passage.

Representatives Barnes, Nelson (G) and Isaacson spoke in favor of passage of the bill, and Representatives Nelson (D) and Hine spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Substitute House Bill No. 912, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 52; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Isaacson, James, King J., Leonard, Lewis, Lundquist, McCormick, McDonald,

McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Prince, Sanders, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Ellis, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Houchen, Johnson, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Wilson, Winsley.

Engrossed Substitute House Bill No. 912, having failed to receive the constitutional majority, was declared lost.

MESSAGES FROM THE SENATE

March 8, 1982

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED HOUSE BILL NO. 757, and has passed the bill without said amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 947,
SUBSTITUTE HOUSE BILL NO. 1047,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 47,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3156, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND REENGROSSED SENATE BILL NO. 3446, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 3541, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3847, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3927, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4461, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4477, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 4493, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4697, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4831, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 7, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 4502,
ENGROSSED SENATE BILL NO. 4705,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGES FROM THE GOVERNOR

March 4, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 4, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 720: Relating to human remains, donees, gifts.

HOUSE BILL NO. 884: Relating to correcting double amendments.

Sincerely,
Marilyn Showalter, Counsel.

March 8, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 8, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 46: Relating to food fish and shellfish.

SUBSTITUTE HOUSE BILL NO. 449: Relating to certain expenses for the general determination of water rights.

HOUSE BILL NO. 500: Relating to statutory construction.

HOUSE BILL NO. 896: Relating to snowmobiles.

Sincerely,
Marilyn Showalter, Counsel.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4115, by Committee on Financial Institutions and Insurance (originally sponsored by Senators Sellar and Wojahn):

Revising laws relating to international banking facilities.

The bill was read the second time.

On motion of Mr. Dawson, the following amendment by Representatives Dawson, Eng and Lux was adopted:

On page 8, after line 7 strike all material down through line 13 and insert the following:

*This chapter shall not apply to the gross receipts of an international banking facility.

As used in this section, an "international banking facility" means a facility represented by a set of asset and liability accounts segregated on the books and records of a commercial bank, the principal office of which is located in this state, and which is incorporated and doing business under the laws of the United States or of this state, a United States branch or agency of a foreign bank, an Edge corporation organized under Section 25(a) of the Federal Reserve Act, 12 United States Code 611-631, or an Agreement corporation having an agreement or undertaking with the Board of Governors of the Federal Reserve System under Section 25 of the Federal Reserve Act, 12 United States Code 601-604(a), that includes only international banking facility time deposits (as defined in subsection (a)(2) of Section 204.8 of Regulation D (12 CFR Part 204), as promulgated by the Board of Governors of the Federal Reserve System), and international banking facility extensions of credit (as defined in subsection (a)(3) of Section 204.8 of Regulation D)."

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4115 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinchart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Schmidt.

Engrossed Substitute Senate Bill No. 4115 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4025, by Senators Jones and Fleming:

Vacating Smith's Cove waterway.

The bill was read the second time.

Committee on Natural Resources and Environmental Affairs recommendation: Majority, do pass as amended. (For amendment, see Journal, 53rd Day, March 4, 1982.)

Ms. Rosbach moved adoption of the committee amendment.

Ms. Rosbach spoke against adoption of the committee amendment, and it was not adopted.

Ms. Brekke moved adoption of the following amendment:

On page 1, beginning on line 3 after "Section 1." strike all material down to and including "Washington." on line 7 and insert "When a city or port commission requests vacation of a waterway under the provisions of RCW 79.01.472 the written decision regarding vacation shall be made by the commissioner within six months after such request: PROVIDED, That if such request was made prior to the effective date of this act such order shall be made within six months after the effective date of this act. In connection with the vacation of a waterway the department shall determine the fair market value of the lands previously designated as waterway and may sell or manage such lands in accordance with the provisions of Title 79 RCW."

Ms. Brekke spoke in favor of the amendment, and Mr. Lundquist spoke against it.

Ms. Brekke spoke again in favor of the amendment, and Mr. Martinis spoke against it.

The amendment was not adopted.

Mr. Lundquist moved adoption of the following amendment by Representatives Lundquist, Armstrong, Chamberlain and Erak:

On page 1, beginning on line 8 strike all of section 2 and insert:
 "NEW SECTION. Sec. 2. Upon vacation of the Smith's Cove waterway under section 1 of this act, the fair market value of those tidelands lying landward of the inner harbor line shall be determined by the department of natural resources at an amount not less than the average of at least two independent appraisals. Such lands shall be offered for sale to the Port of Seattle at fair market value. When the entire sale price is received the deed shall be issued in accordance with RCW 79.01.220 or section 32, chapter ..., Laws of 1982 ex. sess. (SSB 4824). Proceeds from sale shall first be used to reimburse the resource management cost account for appraisal costs and the remainder shall be deposited in the state general fund."

Representatives Lundquist, Williams, Erak and Armstrong spoke in favor of the amendment, and Representatives Martinis, O'Brien and Dawson spoke against it.

Mr. Lundquist spoke again in favor of the amendment, and it was adopted.

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

Representatives Rosbach and Lundquist spoke in favor of passage of the bill, and Mr. Armstrong spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4025 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 15; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Burns, Cole, Garrett, Greengo, Nelson D., North, Rinehart, Rust, Sommers, Tupper, Walk, Wang.

Not voting: Representatives Teutsch, Thompson.

Senate Bill No. 4025 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4640, by Senators Scott, Zimmerman and Gaspard (by Department of Retirement request):

Revising laws relating to retirement from public service.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 56th Day, March 7, 1982.)

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

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4640 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohar, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Warnke.

Engrossed Senate Bill No. 4640 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 45th Day, February 24, 1982.)

Mr. Taylor moved adoption of the committee amendment.

On motion of Mr. Nelson (G), the following amendment by Representatives Nelson (G), Taylor, Valle, Galloway, Dickie and James to the committee amendment was adopted:

On page 1, beginning on line 12 strike everything through page 3, line 20 and insert the following:

"All accounts shall be (audited by a committee of board members chosen in such manner as the board so determines to be styled the 'auditing committee,' and, except as otherwise provided by law, no expenditure greater than three hundred dollars shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on) reviewed by the board and the board shall indicate its approval by a recorded affirmative vote of a majority of all members of the board((-PROVIDED, That nothing herein shall be construed to prevent the board from making any repairs or improvements to the property of the district through their shop and repair department as otherwise provided in RCW 28A.58.135, and the accounts and the records of said board shall at all times be subject to the inspection and examination of the educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records)). If the board disapproves some items, the superintendent shall not allow payment of the disapproved items or, if already paid, the superintendent shall cause the disapproved items to be treated as district receivables until the amounts disapproved are collected or until the board is satisfied and approves the items.

Sec. 2. Section 1, chapter 111, Laws of 1973 as amended by section 21, chapter 43, Laws of 1975 and RCW 28A.60.328 are each amended to read as follows:

Second class school districts, subject to the approval of the superintendent of public instruction, may draw and issue warrants for the payment of moneys ((upon approval of a majority of the board of directors, such warrants to be signed by the chairman of the board and countersigned by the secretary. PROVIDED; That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the chairman of the board personally imposes too great a task on the chairman, the board of directors, after auditing all payrolls and bills, may authorize the issuing of one general certificate to the county treasurer, to be signed by the chairman of the board, authorizing said treasurer to pay all the warrants specified by date, number, name and amount, and the funds on which said warrants shall be drawn, thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants)) using the same procedures as those required of first class districts in RCW 28A.59.110 and 28A.59.150.

((Accounts and the records of second class school districts drawing and issuing warrants as provided in this section shall at all times be subject to the inspection and examination of the educational service district superintendent, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the proper board of county commissioners the nature and state of said accounts, and any facts that may be required concerning said records.))"

On page 6 of the amendment, after line 11, strike the remainder of the amendment, and insert the following:

"Sec. 5. Section 28A.59.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.110 are each amended to read as follows:

Moneys of such school districts shall be paid out only upon (~~orders for~~) warrants signed by the (~~president, or a majority of the board of directors and countersigned by the secretary. PROVIDED, That when, in the judgment of the board of directors, the orders for warrants issued by the district monthly shall have reached such numbers that the signing of each warrant by the president personally imposes too great a task on the president, the board of directors, after auditing all payrolls and bills as provided by RCW 28A-59-150, may authorize the issuing of one general certificate to the county treasurer, to be signed by the president, authorizing said treasurer to pay all the warrants specified by date, number, name and amount; and the funds on which said warrants shall be drawn; thereupon the secretary of said board shall be authorized to draw and sign said orders for warrants~~) superintendent and certified by the auditing officer of the district as provided in chapter 42.24 RCW.

The board of directors may require the superintendent to furnish an official bond for the faithful discharge of his duties in an amount fixed by the board of directors with good and sufficient surety, and to cause the premium for such bond to be paid by the district. The school district board of directors shall adopt contracting, hiring, purchasing, and disbursing policies that implement effective internal controls.

Sec. 6. Section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 43, Laws of 1975 and RCW 28A.66.010 are each amended to read as follows:

~~((The county auditor shall register in his own office, and present to the treasurer for registration in the office of the county treasurer.)) Before issuing warrants, the district superintendent shall deliver to the county treasurer a register of all warrants of first class districts, and all warrants of second class districts electing to draw and issue their own warrants under RCW 28A.60.328, as now or hereafter amended((; received from school district superintendents or district secretaries before delivery of the same to claimants)).~~

Sec. 7. Section 28A.66.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.030 are each amended to read as follows:

The county auditors of the several counties of this state shall audit all accounts of the (~~several~~) school districts of their respective counties(~~;) for which the county auditors issue warrants in the same manner as other accounts are audited with the other departments of the county.~~

Sec. 8. Section 36.22.090, chapter 4, Laws of 1963 as last amended by section 31, chapter 43, Laws of 1975 and RCW 36.22.090 are each amended to read as follows:

All warrants for the payment of claims against diking, ditch, drainage and irrigation districts and school districts of the second class, who do not issue their own warrants, as well as political subdivisions within the county for which no other provision is made by law, shall be drawn and issued by the county auditor of the county wherein such subdivision is located upon vouchers properly (~~approved by the governing body~~) certified by the auditing officer thereof.

NEW SECTION. Sec. 9. The following acts or parts thereof are each hereby repealed:

(1) Section 28A.66.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 48, Laws of 1971, section 1, chapter 72, Laws of 1973 and RCW 28A.66.050;

(2) Section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060;

(3) Section 28A.66.080, chapter 223, Laws of 1969 ex. sess., section 30, chapter 43, Laws of 1975 and RCW 28A.66.080;

(4) Section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090; and

(5) Section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.66.100.

NEW SECTION. Sec. 10. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

In line 12 of the title after "28A.57.255;" strike the remainder of the title and insert "amending section 28A.59.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.110; amending section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 43, Laws of 1975 and RCW 28A.66.010; amending section 28A.66.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.030; amending section 36.22.090, chapter 4, Laws of 1963 as last amended by section 31, chapter 43, Laws of 1975 and RCW 36.22.090; creating new sections; repealing section 28A.66.050, chapter 223, Laws of 1969 ex. sess., section 45, chapter 48, Laws of 1971, section 1, chapter 72, Laws of 1973 and RCW 28A.66.050; repealing section 28A.66.060, chapter 223, Laws of 1969 ex. sess., section 46, chapter 48, Laws of 1971, section 129, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.66.060; repealing section 28A.66.080, chapter 223, Laws of 1969 ex. sess., section 30, chapter 43, Laws of 1975 and RCW 28A.66.080; repealing section 28A.66.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.090; and repealing section 28A.66.100, chapter 223, Laws of 1969 ex. sess., section 47, chapter 48, Laws of 1971, section 130, chapter 275, Laws of 1975 1st ex. sess., section 32, chapter 118, Laws of 1975-'76 2nd ex. sess. and RCW 28A.66.100."

On motion of Mr. Dawson, the following amendment by Representatives Dawson, Taylor and Warnke to the committee amendment was adopted:

On page 6, after line 11 insert the following:

"Sec. 4. Section 28A.51.010, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 170, Laws of 1980 and RCW 28A.51.010 are each amended to read as follows:

The board of directors of any school district may borrow money and issue negotiable coupon bonds therefor for the purpose of:

- (1) Funding outstanding indebtedness or bonds theretofore issued; or
- (2) For the purchase of sites for all buildings, playgrounds, physical education and athletic facilities and structures authorized by law or necessary or proper to carry out the functions of a school district; or
- (3) For erecting all buildings authorized by law, including but not limited to those mentioned in subparagraph (2) immediately above or necessary or proper to carry out the functions of a school district, and providing the necessary furniture, apparatus, or equipment therefor; or
- (4) For improving the energy efficiency of school district buildings and/or installing systems and components to utilize renewable and/or inexhaustible energy resources; or
- (5) For major and minor structural changes and structural additions to buildings, structures, facilities and sites necessary or proper to carrying out the functions of the school district; or
- (6) After September 1, 1982, for the purchase of additional pupil transportation vehicles that are not for the replacement of vehicles that are in the current district fleet or retired from service by the school district; or

(7) For any or all of these purposes.

Neither the amount of money borrowed nor bonds issued therefor shall exceed the limitation of indebtedness prescribed by chapter 39.36 RCW, as now or hereafter amended.

Bonds may be issued only when authorized by the vote of the qualified electors of the district as provided by law.

The bonds so issued shall be in such form, for such terms, bear such interest, be sold in such manner, and be payable and redeemable, as the board of directors shall determine in accordance with this chapter and chapter 39.44 RCW: PROVIDED, That the term of bonds issued for pupil transportation vehicles shall not exceed ten years and the county treasurer shall place the money specified by the school district board of directors as having been derived from a bond sale for such purpose to the credit of the transportation vehicle fund of the district.

Renumber the remaining sections consecutively.

Mr. Vander Stoep moved adoption of the following amendment to the committee amendment:

On page 6 of the House committee amendment following section 4 add a new section to read as follows:

*NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The intent of this section is to establish a pilot program that will permit selected school districts to operate on a flexible school year basis. The objective of this pilot program will be to determine if cost savings, constant or improved achievement, and positive support from students, staff, parents, and the community will result from adopting a school year based on a four-day work week.

Notwithstanding the requirement of a school term of at least one hundred eighty days in RCW 28A.58.180, 28A.01.025, 28A.41.130, 28A.41.170, 28A.58.075, 28A.58.754 or 28A.59.180, or in any other provision of law, any school district chosen to participate in the flexible school year pilot program pursuant to this section shall be required to maintain a minimum school term of at least a total number of hours equal to the minimum program hour offering required for each grade level under RCW 28A.58.754. Funding shall not be reduced to any school district due to participation in this program.

Any school district may apply to the superintendent of public instruction for participation in the flexible school year project. At least one public hearing must be held prior to the application. Application must be submitted no later than May 1 of each year prior to the 1982-83 and 1983-84 school year on forms provided by the superintendent of public instruction and shall include an assurance by the school district that the following conditions will be met:

- (1) The school year will be based on a four-day week;
- (2) Participation will be for a minimum of one complete school year;
- (3) participation for two school years, although not required, will be a goal of the district;
- (4) Additional fiscal data as required by the superintendent of public instruction will be reported;
- (5) A district survey of students, parents, staff, and the community will be conducted and reported as required by the superintendent of public instruction.

The superintendent of public instruction shall:

- (a) Prepare and distribute project applications;
- (b) Select up to ten school districts that apply for the project; every effort shall be made to select a cross section of districts based on enrollment, geographical size and location;
- (c) Collect such fiscal information necessary to evaluate the cost impact of a flexible school year;
- (d) Prepare, distribute to districts, and collect the results of a survey of students, district staff, parents, and the community at the end of each school year;
- (e) Submit a project report to the education and ways and means committees of the house of representatives and senate by October 1, 1983 and October 1, 1984.

The program shall be effective for the 1982-83 and 1983-84 school years.

The superintendent of public instruction and the state board of education may adopt new or amended rules as necessary to carry out this pilot project.

Renumber the remaining section consecutively.

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, I would like to raise two points of order. Rule 14D—having to do with this bill—it is essentially the same as House Bill 1000. My second point of order, which I think is more to the point, is scope and object."

The Speaker: "Representative Ehlers, the Speaker will take the matter into consideration overnight and rule on it tomorrow."

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

SUBSTITUTE SENATE BILL NO. 4502, by Committee on Ways and Means (originally sponsored by Senator Lee):

Modifying funds apportioned by the superintendent of public instruction.

To Committee on Ways and Means

ENGROSSED SENATE BILL NO. 4705, by Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing the use of credit cards for state purchases.

To Committee on State Government

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

REPORTS OF STANDING COMMITTEES

March 8, 1982

HOUSE BILL NO. 1103, Prime Sponsor: Representative Struthers, providing for a state lottery. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Thompson, Ranking Minority Member; Amen, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Voting nay: Representatives Williams, Chairman; Fiske, Vice Chairman; Barnes, Ellis.

Passed to Committee on Rules for second reading.

March 7, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4663, Prime Sponsor: Committee on Natural Resources, modifying the state timber sales program. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. (1) The legislature finds as follows:

(a) A competitive, financially healthy forest products industry is important to the economic well-being of the state and the trust beneficiaries of the state forest lands administered by the department of natural resources. The forest products industry provides employment, tax revenues, and a long-term, continuous source of income for the state educational system and other trust beneficiaries. A reduction in the number of timber companies would increase unemployment, decrease tax revenues, and reduce competition and the levels of short-term and long-term income for the trust beneficiaries.

(b) The forest products industry is currently suffering an economic downturn. Current economic conditions will hinder certain purchasers from meeting timber contract obligations to the state and may lead to business failures.

(c) The United States forest service and the state of Oregon have provided certain relief to some timber sales purchasers. Action by this state is necessary to maintain a competitive timber sales program and to insure a regular and timely harvest of timber from state lands.

(d) The interests of the state and the trust beneficiaries will be best served by modifying current state law as it applies to the state's timber sales program.

(e) The measures provided for in this act balance the needs of the trust beneficiaries for short-term revenue and cash flow with the long-term need for a competitive forest products industry which will provide a sustained income to the trusts in the future.

(2) The legislature further finds that the department of natural resources should have authority to take certain steps to:

- (a) Help retain the values of existing sales of timber;
- (b) Promote harvesting and the production of income to the state;
- (c) Stimulate employment in the forest products industry; and
- (d) Assist the forest products industry to assure future diversity and competitiveness.

(3) The legislature further finds that the board of natural resources, as the designated trust land manager, is the appropriate body to establish annual sales levels of timber from state trust lands, and that a significant volume of short-term sales offered over the course of the next two years will aid in efforts to generate sufficient trust income and help meet the goals outlined in subsection (2) of this section.

NEW SECTION. Sec. 2. Sections 3 through 9 of this act shall be known as the forest products industry recovery act of 1982.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 3 through 9 of this act.

(1) 'Commissioner' means the commissioner of public lands.

(2) 'Department' means the department of natural resources.

(3) 'Timber sale contract' means a contract for the purchase of state timber from the department which has a minimum appraisal value over twenty thousand dollars and has been purchased at public auction by voice or sealed bid.

NEW SECTION. Sec. 4. Notwithstanding the provisions of RCW 79.01.132, the department, upon application by the purchaser of an existing state timber sale contract entered into between January 1, 1978, and January 1, 1980, is authorized to extend such contract without charge one day for every day the purchaser engages in or has agreed to engage in the removal of timber purchased by that purchaser under a timber sale contract: PROVIDED, That no more than sixty percent of the timber sales sold in calendar years 1982 and 1983 shall be designated by the department as sales on which a purchaser may earn extension time credits. Such extension shall be in accordance with and computed on the basis of rules adopted by the department, including specifying the minimum volume required to be removed on a daily basis to earn an extension time credit. The department's authority to grant the extensions under this section expires on December 31, 1983. The extension days earned as provided in this section may only be utilized to extend a state timber sale without charge up to and including December 31, 1984.

NEW SECTION. Sec. 5. The department of natural resources is authorized for existing sales of timber purchased at auction between January 1, 1978, and January 1, 1980, which sales had a minimum appraised price of more than twenty thousand dollars, to enter into agreements with a purchaser authorizing the credit of the extension fee to the purchase of timber if the extension fee is paid prior to the expiration date of the existing contract or an extension thereof. The credit shall be applied to the final payment for the removal, processing, or cutting of timber or other forest products conveyed. The department of natural resources may enter into agreements under this section upon application by a purchaser of a qualifying sale in accordance with rules adopted by the department.

NEW SECTION. Sec. 6. (1) Subsections (2) and (3) of this section shall only apply to defaults by purchasers of any state timber sale contract entered into between January 1, 1978, and January 1, 1980:

(a) If the default is after the effective date of this act; and

(b) If the department receives notification from the purchaser in writing prior to July 15, 1982; and

(c) Limited to a total number of sales having a cumulative volume remaining under contract of not more than fifteen million board feet of timber. Such volume of each sale shall be determined by utilizing the original cruise estimates.

(2) Any purchaser defaulting on a contract under subsection (1) of this section shall not be refunded any cash moneys paid to the department or any other moneys expended as a result of the contract, including, but not limited to, cash deposits, extension fees, bond deposits, or interest charges. That purchaser shall also be charged a fee of twenty-five hundred dollars for the administrative costs of reselling the timber.

(3) The purchaser shall receive a credit from the department for the value of any road work completed. The value of the road work shall be the value of the percentage of road work completed based on the original appraisal for the entire road work on the sale as determined by the department of natural resources. Additional credits shall not be allowed on the defaulted contract and additional damages, fees, or penalties shall not be assessed by the department against the purchaser.

(4) The credit for road work completed shall be used, at the choice of the purchaser of state timber, as an off-setting dollar amount of up to one-half of the price of stumpage being purchased, or as an off-setting dollar amount of up to one-half of any cash security deposits required on a contract for the purchase of state timber, or as an off-setting dollar amount of up to one-half for any extension fee due on a contract for the purchase of state timber.

(5) Defaults by a purchaser on sales not falling within the provisions of subsection (1) of this section shall be governed by the applicable provisions of state law, rules, and timber sale contracts in existence prior to the effective date of this act.

NEW SECTION. Sec. 7. The commissioner shall adopt rules as necessary for the administration of sections 2 through 9 of this act. However, the failure to adopt such rules shall not prevent the immediate implementation of sections 2 through 9 of this act.

NEW SECTION. Sec. 8. The interest rate on extensions granted after the effective date of this act on existing state timber sale contracts purchased prior to December 31, 1980, shall not exceed thirteen percent per year.

NEW SECTION. Sec. 9. Sections 2 through 9 of this act do not apply to any sales of timber damaged by the eruption of Mount St. Helens.

Sec. 10. Section 33, chapter 255, Laws of 1927 as last amended by section 1, chapter 52, Laws of 1975 1st ex. sess. and RCW 79.01.132 are each amended to read as follows:

When any timber, fallen timber, stone, gravel, or other valuable material on state lands is sold separate from the land, it may be sold as a lump sum sale or as a scale sale: **PROVIDED**, That upon the request of the purchaser, any lump sum sale over five thousand dollars appraised value shall be on the installment plan. Lump sum sales under five thousand dollars appraised value shall be paid for in cash. The initial deposits required in RCW 79.01.204, not to exceed twenty-five percent of the actual or projected purchase price, but in the case of lump sum sales over five thousand dollars not less than five thousand dollars, shall be made on the day of the sale. The purchaser shall notify the department of natural resources before any timber is cut and before removal or processing of any valuable materials on the sale area, at which time the department of natural resources may require, in the amount determined by the department, advance payment for the removal, processing, and/or cutting of timber or other valuable materials, or payment bonds or assignments of savings accounts acceptable to the department as adequate security. The amount of such advance payments and/or security shall at all times equal or exceed the value of timber cut and other valuable materials processed or removed until paid for. The initial deposit shall be maintained until all contract obligations of the purchaser are satisfied: **PROVIDED HOWEVER**, That all or a portion of said initial deposit may be applied as the final payment for said materials in the event the department of natural resources determines that adequate security exists for the performance or fulfillment of any remaining obligations of the purchaser under the sale contract.

In all cases where timber, fallen timber, stone, gravel, or other valuable material is sold separate from the land, the same shall revert to the state if not removed from the land within the period specified in the sale contract. Said specified period shall not exceed five years from the date of the purchase thereof: **PROVIDED**, That the specified periods in the sale contract for stone, sand, fill material, or building stone shall not exceed twenty years: **PROVIDED FURTHER**, That in all cases where, in the judgment of the department of natural resources, the purchaser is acting in good faith and endeavoring to remove such materials, the department of natural resources may extend the time for the removal thereof for any period not exceeding twenty years from the date of purchase for the stone, sand, fill material or building stone or for a total of ten years beyond the normal termination date specified in the original sale contract for all other material, upon payment to the state of a sum to be fixed by the department of natural resources, based on the estimated loss of income per acre to the state resulting from the granting of the extension but in no event less than fifty dollars per extension, plus interest on the unpaid portion of the contract. The interest rate shall be fixed, from time to time, by rule adopted by the board of natural resources and shall not be less than six percent per annum. The applicable rate of interest as fixed at the date of sale and the maximum extension payment shall be set forth in the contract. The method for calculating the unpaid portion of the contract upon which such interest shall be paid by the purchaser shall be set forth in the contract. The department of natural resources shall pay into the state treasury all sums received for such extension and the same shall be credited to the fund to which was credited the original purchase price of the material so sold: **AND PROVIDED FURTHER**, That any sale of timber, fallen timber, stone, gravel, sand, fill material, or building stone of an appraised value of five hundred dollars or less may be sold directly to the applicant for cash at full appraised value without notice or advertising.

The provisions of this section apply unless otherwise provided by statute.

NEW SECTION. Sec. 11. Sections 2 through 9 of this act shall expire December 31, 1984. Such expiration shall not, however, modify or terminate any rights created by this act prior to its expiration.

NEW SECTION. Sec. 12. Sections 2 through 9 of this act are each added to chapter 79.01 RCW.

NEW SECTION. Sec. 13. There is added to chapter 79.01 RCW a new section to read as follows:

(1) When timber situated on state lands is sold separately from the land, the sale contract shall include provisions for adjustments in the sale price to reflect changes in the market index subsequent to the time of sale. The price to be paid by a purchaser for timber removed during a calendar quarter shall equal the sum of the contract bid price and the market index change amount for that quarter.

(2) As used in this section:

(a) 'Market index' means a composite index established by the department of natural resources. Each index shall consist of either the current market prices of various species and grades of logs harvested in this state, or the current market price of wood products made from logs harvested in this state. The department shall establish as many distinct indexes as it finds necessary to accurately reflect changes in market prices of various species and grades of logs or wood products made from logs.

(b) 'Market index change amount' means an amount calculated by:

(i) Subtracting the market index for the calendar quarter during which the timber was sold from the market index for the calendar quarter in which the timber was removed; and

(ii) Dividing the remainder calculated under (b)(i) of this subsection by two.

NEW SECTION. Sec. 14. Sections 2 through 9 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Section 13 of this act shall take effect April 1, 1983.

NEW SECTION. Sec. 15. An advisory committee on timber contract price indexing is hereby created. The committee shall have eleven members. The speaker of the house of representatives shall appoint two representatives, one from each party, to be members of the committee. The president of the senate shall appoint two senators, one from each party, to be members of the committee. The commissioner of public

lands shall appoint seven members of the committee representing the department of natural resources, the timber products industry, the beneficiaries of the trusts, and the public. The committee shall study section 13 of this act and make recommendations to the department of natural resources regarding the implementation of the section. The department of natural resources shall provide such assistance as may be required by the committee. The department shall report its proposed rules for timber contract price indexing to the legislature prior to January 15, 1983.

NEW SECTION. Sec. 16. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.*

On page 1, line 4 of the title, after "79.01 RCW;" insert "creating a new section; providing an effective date;"

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Nisbet, Thompson, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Greengo, McDonald, Williams.

Passed to Committee on Rules for second reading.

March 8, 1982

SUBSTITUTE SENATE BILL NO. 4824, Prime Sponsor: Committee on Natural Resources, providing separate chapters of laws of aquatic lands. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources and Environmental Affairs except the amendment to page 100 which should be as follows:

On page 100, after line 20 insert the following:

*Sec. 176. Section 2, chapter 97, Laws of 1979 ex. sess. and RCW 79.01.525 are each amended to read as follows:

During the term of an existing lease and in issuing or renewing leases or re-leasing tidelands, shorelands, beds of navigable waters, waterways and harbor areas ((pursuant to RCW 79.01.526)), the annual rental fee for a ((harbor-areas)) lease shall not increase at a rate of more than six percent per year, ((regardless of the reappraised value of the harbor area unless the reappraisal value of the harbor area unless the reappraisal is conducted by an independent fee appraiser who is a member of the Appraisal Institute and designated M.A.I. or a member of the Society of Real Estate Appraisers who is designated S.R.P.A. or S.R.E.A. and who uses local comparable land values)) beyond the rental fee in effect January 1, 1981, under the same lease or, for leases issued or renewed since then, beyond the rental fees for similar aquatic lands used for similar uses prevailing on January 1, 1981. This section does not apply to geoduck harvesting leases, clam harvesting leases or oyster bed leases which are established by a competitive bid process. This section shall expire and have no further legal effect after July 1, ((1982)) 1983.*

Renumber the remaining sections consecutively.

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, King (J), Maxie, McGinnis, Monohon, Rosbach.

Passed to Committee on Rules for second reading.

March 8, 1982

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, Prime Sponsor: Committee on Local Government, providing the means for the payment of indebtedness on public improvements. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendment:

Strike the entire resolution and insert the following:

***BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:**

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the state Constitution by adding a new section to read as follows:

Article VII, section Notwithstanding any provision of this Constitution, the legislature may by general law authorize the legislative authority of any county, city, or town to create boundaries in urban areas, within its jurisdiction, containing only that real property which is determined will be increased in true and fair value by reason of specified public improvements to redevelop deteriorated areas within those boundaries, and may provide that all or a portion of the ad valorem taxes levied within those boundaries against increases in the true and fair value of such real property may be used to pay for the specified public improvements or to pay public obligations incurred to fund the specified public improvements. Public obligations incurred for these public improvements and payable solely from revenues from these public

improvements and such ad valorem taxes levied against the increases in real property value shall not constitute general indebtedness.

For the purposes of this section, 'ad valorem taxes' means:

(1) Ad valorem taxes subject to the aggregate limitation on tax levies by the state and all taxing districts in section 2 of this Article; and

(2) Ad valorem taxes levied by port districts and public utility districts, except for ad valorem taxes levied specifically for the purpose of making required payments of principal and interest on general indebtedness.

Nothing in this section authorizes the provision of public improvements which counties, cities, and towns may not otherwise provide.

Nothing in this section authorizes a county, city, or town to exercise powers of eminent domain contrary to the provisions of Article I, section 16.

Nothing in this section authorizes a county, city, or town to pledge all or part of its full faith and credit or any other tax revenues without complying with the laws relating to the incurring of general indebtedness, including Article VIII, section 1 and Article VIII, section 6, or to aggregate tax levies in excess of the limitation on levies in section 2 of this Article: PROVIDED, That no bonds that constitute general indebtedness and which use the funding mechanism contained in this section shall be issued to fund all or a portion of such specified public improvements without the assent of a majority of the voters of the county, city, or town issuing the bonds voting at an election to be held for that purpose.

After the initial adoption of a law by the legislature authorizing the use of ad valorem taxes levied against increases in the true and fair value of real property to finance specified public improvements, no amendment to such act which expands the nature of the areas within which ad valorem taxes levied against increases in the true and fair value of real property may be used to finance specified public improvements, or adds to the purposes and types of public improvements that may be financed with such revenues, or reduces the requirements which must be met if public obligations are incurred to fund the specified public improvements, shall be valid unless the amendment is enacted by a favorable vote of three-fifths of the members elected to each house of the legislature and is subject to referendum petition.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:00 a.m., Tuesday, March 9, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk.

FIFTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 9, 1982.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Leif Wahlborg and Courtney Walker. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 8, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 259,
 HOUSE BILL NO. 375,
 HOUSE BILL NO. 401,
 HOUSE BILL NO. 442,
 HOUSE BILL NO. 457,
 SUBSTITUTE HOUSE BILL NO. 476,
 HOUSE BILL NO. 572,
 SUBSTITUTE HOUSE BILL NO. 626,
 SECOND SUBSTITUTE HOUSE BILL NO. 658,
 HOUSE BILL NO. 752,
 SUBSTITUTE HOUSE BILL NO. 823,
 SUBSTITUTE HOUSE BILL NO. 824,
 SUBSTITUTE HOUSE BILL NO. 834,
 SUBSTITUTE HOUSE BILL NO. 875,
 SUBSTITUTE HOUSE BILL NO. 946,
 SUBSTITUTE HOUSE BILL NO. 965,
 HOUSE BILL NO. 1017,
 HOUSE BILL NO. 1144,
 SUBSTITUTE SENATE BILL NO. 3249,
 SENATE BILL NO. 3425,
 SUBSTITUTE SENATE BILL NO. 4046,
 SENATE BILL NO. 4064,
 SUBSTITUTE SENATE BILL NO. 4163,
 SENATE BILL NO. 4307,
 SENATE BILL NO. 4313,
 SUBSTITUTE SENATE BILL NO. 4460,
 SENATE BILL NO. 4466,
 SENATE BILL NO. 4474,
 SENATE BILL NO. 4488,
 SENATE BILL NO. 4491,
 SUBSTITUTE SENATE BILL NO. 4501,
 SUBSTITUTE SENATE BILL NO. 4505,
 SENATE BILL NO. 4512,
 SUBSTITUTE SENATE BILL NO. 4562,
 SUBSTITUTE SENATE BILL NO. 4566,
 SENATE BILL NO. 4569,
 SENATE BILL NO. 4599,
 SENATE BILL NO. 4602,
 SENATE BILL NO. 4644,
 SENATE BILL NO. 4681,
 SUBSTITUTE SENATE BILL NO. 4692,

SENATE BILL NO. 4701,
 SUBSTITUTE SENATE BILL NO. 4750,
 SUBSTITUTE SENATE BILL NO. 4846,
 SUBSTITUTE SENATE BILL NO. 4852,
 SENATE BILL NO. 4919,
 SENATE BILL NO. 4952,
 SENATE BILL NO. 4956,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 871,
 HOUSE BILL NO. 934,
 HOUSE BILL NO. 1072,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4545, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendment(s) to the following bills, and passed the bills as amended by the House:

SENATE BILL NO. 4718,
 SUBSTITUTE SENATE BILL NO. 4775.

Sidney R. Snyder, Secretary.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4786, by Committee on Social and Health Services (originally sponsored by Senators Lee, Hayner, Deccio, Scott and Wojahn):

Modifying the community mental health services act.

The bill was read the second time.

Committee on Appropriations - Human Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 54th Day, March 5, 1982.)

Mr. Nisbet moved adoption of the committee amendment.

On motion of Mr. Nisbet, the following amendment by Representatives Nisbet and Becker to the committee amendment was adopted:

On page 11, beginning with "The" on line 17 strike the material down to and including "services" on line 22 and insert "The county authority may, in the absence of a licensed service provider entity, become a licensed service provided entity pursuant to minimum standards required for licensing by the department for the purpose of providing services not available from licensed service providers;

(3) Operate as a licensed service provider if it deems that doing so is more efficient and cost effective than contracting for services. When doing so, the county authority shall comply with rules promulgated by the secretary that shall provide measurements to determine when a county provided service is more efficient and cost effective. Whenever a county authority chooses to operate as a licensed service provider, the secretary shall act as the county authority for that service."

Renumber the remaining subsections.

On motion of Mr. Nisbet, the following amendment by Representatives Nisbet and Becker to the committee amendment was adopted:

On page 18, line 27 strike "this chapter" and insert "chapter 71.24 RCW"

The committee amendment as amended was adopted.

On motion of Mr. Nisbet, the committee amendment to the title was adopted.

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

Representatives Nisbet and Lewis spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Nisbet yielded to question by Ms. Becker.

Ms. Becker: "Representative Nisbet, this bill contains the definition of 'acutely mentally ill,' and in order not to leave any questions about just what we're focusing on, I wonder if you could give us the benefit of your remarks and your understanding about our intent in amending this definition in the House Appropriations - Human Services Committee?"

Mr. Nisbet: "Thank you, Representative Becker. Our intent with this entire bill is to focus the state's available resources on those conditions and people in the greatest need of mental health care. The definition of acutely mentally ill speaks to a condition, not a person, and limits the condition to a short-term, severe crisis episode of a mental disorder or grave disability, or a condition presenting a likelihood of serious harm. It is our intent to make the availabilities to respond to and stabilize these conditions a priority for the community mental health system. It is not our intent to reopen the black hole of community mental health with the definition of acute mentally ill by authorizing endless hours of service at endless cost in an attempt to completely rehabilitate any person who has been in the condition of mentally ill at any time in his or her life. The key to this definition is the phrase 'short-term severe crisis episode.' It is our intent to allow the Department of Social and Health Services to establish administrative codes that will define this phrase operationally."

Ms. Becker: "Representative Nisbet, section 4 of this bill sets very clear priorities for service for 'the acutely mentally ill, the chronically mentally ill and the seriously disturbed.' Could you please tell us how members of the legislature, now and in the future, will be able to know the degree to which those priorities are being adhered to by the mental health system?"

Mr. Nisbet: "Section 4 of this bill directs the department to develop evaluation standards which will inform in information on the amount of service given to each priority mentioned and listed under this act. The same section directs DSHS to tell us the formula they will use in distributing funds we appropriate for community mental health to each of the priority groups. That formula is required to be based on the needs assessment done by the counties which focused on the acutely mentally ill, the chronically mentally ill and the seriously disturbed—the same priorities."

Representatives Becker, Williams and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4786 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Substitute Senate Bill No. 4786 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4366, by Senators Rasmussen and Craswell:

Modifying penalties for unlawful issuance of checks or drafts.

The bill was read the second time.

Mr. Barr moved adoption of the following amendment:

On page 2, after line 27 insert:

"(6) For purposes of this section, any of the following shall be considered prima facie evidence of intent to defraud:

(a) Proof that, at the time of issuance, the person did not have an account with the drawee; or

(b) Proof that, when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the bank or depository and the person did not make payment of money in the amount of the check or draft or otherwise arrange a settlement agreed upon by the holder of the check within twenty days after receiving written notice of dishonor or failure to make payment."

Mr. Barr spoke in favor of the amendment, and Mr. Armstrong spoke against it.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. Nickell.

Mr. Nickell: "Representative Armstrong, this is not quite clear about who initiates the settlement between the maker of the check and the person who has accepted it. Who has to initiate that agreement, the maker or the person who is holding the check?"

Mr. Armstrong: "I would suggest the maker had better initiate the settlement, had better be in town, know that his account was overdrawn, know that it was NSF and had gotten the mail. Those are all problems. I don't know whether everybody is always going to be there to get the mail that announces that the check was NSF. My real impression is that the prosecutor is going to initiate this settlement. My understanding of the Bremerton system is that someone in the police department is going to be calling people who have NSF checks and ask them if they want to be arrested."

Mr. Nickell: "In other words, you do feel that the holder of the check would have to appeal to the prosecuting attorney with this, and then he would contact the maker of the check?"

Mr. Armstrong: "Yes."

Ms. Schmidt spoke against the amendment, and Mr. Barr spoke again in favor of it.

The amendment was not adopted.

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

Representatives Padden and James spoke in favor of passage of the bill.

On motion of Mr. Nelson (G), further consideration of Engrossed Senate Bill No. 4366 was deferred, and it was ordered placed on the bottom of today's third reading calendar.

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

The bill was read the second time.

Committee on Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal, 56th Day, March 7, 1982.)

On motion of Ms. Houchen, the committee amendments to page 3 were adopted.

MOTION FOR RECONSIDERATION

Mr. Van Dyken, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the committee amendments to page 3 were adopted.

The motion was carried.

Ms. Houchen moved adoption of the committee amendments to page 3, line 5; page 3, line 33 and page 3, line 26.

Mr. Van Dyken spoke in favor of the committee amendments, and Mr. Struthers spoke against them.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Ms. Hine.

Ms. Hine: "Representative Van Dyken, if a child commits an offense that child may go through the normal juvenile court process rather than through the diversion, I believe. What is the cost of going through? Is there an automatic fee if they choose to go through the normal court procedure?"

Mr. Van Dyken: "To my recollection, Representative Hine, court fees can be imposed based on the ability to pay. There is no requirement, to my knowledge."

Representatives Hine, Owen, Becker, Scott, Erak and Nelson (D) spoke in favor of the amendments, and Representative Houchen spoke against them.

Representatives Struthers and Houchen spoke again in opposition to the committee amendments.

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

The committee amendments were adopted.

Ms. Houchen moved adoption of the committee amendment to page 3, line 24.

Mr. Van Dyken spoke in favor of the amendment, and Mr. Struthers spoke against it.

The committee amendment to page 3, line 24 was not adopted.

Ms. Houchen moved adoption of the committee amendment to page 7, line 19.

Representatives Van Dyken and Becker spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Senate Bill No. 4733 was deferred.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 757,
HOUSE BILL NO. 947,
SUBSTITUTE HOUSE BILL NO. 1047,
HOUSE CONCURRENT RESOLUTION NO. 47.

SUBSTITUTE SENATE BILL NO. 4917, by Committee on Education (originally sponsored by Senator Kiskaddon):

Redefining superintendent of public instruction position on state board of education.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day, March 3, 1982.

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

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

On motion of Mr. Hastings, further consideration of Substitute Senate Bill No. 4917 was deferred, and the bill was ordered placed on today's third reading calendar.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3249,
SENATE BILL NO. 3425,
SUBSTITUTE SENATE BILL NO. 4046,
SENATE BILL NO. 4064,
SUBSTITUTE SENATE BILL NO. 4163,
SENATE BILL NO. 4307,
SENATE BILL NO. 4313,
SUBSTITUTE SENATE BILL NO. 4460,
SENATE BILL NO. 4466,
SENATE BILL NO. 4474,
SENATE BILL NO. 4488,
SENATE BILL NO. 4491,
SUBSTITUTE SENATE BILL NO. 4501,
SUBSTITUTE SENATE BILL NO. 4505,
SENATE BILL NO. 4512,
SUBSTITUTE SENATE BILL NO. 4562,
SUBSTITUTE SENATE BILL NO. 4566,
SENATE BILL NO. 4569,

SENATE BILL NO. 4599,
 SENATE BILL NO. 4602,
 SENATE BILL NO. 4644,
 SENATE BILL NO. 4681,
 SUBSTITUTE SENATE BILL NO. 4692,
 SENATE BILL NO. 4701,
 SUBSTITUTE SENATE BILL NO. 4750,
 SUBSTITUTE SENATE BILL NO. 4846,
 SUBSTITUTE SENATE BILL NO. 4852,
 SENATE BILL NO. 4919,
 SENATE BILL NO. 4952,
 SENATE BILL NO. 4956.

ENGROSSED SENATE BILL NO. 4470, by Senators Clarke, Vognild, Benitz, Rasmussen, Hurley and Zimmerman (by Governor Spellman request):

Modifying provisions relating to pistols.

The bill was read the second time.

Mr. Nelson (G) moved adoption of the following amendment by Representative Salatino: On page 1, after line 25 insert new sections to read as follows:

***NEW SECTION.** Sec. 2. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for anyone knowingly to carry onto public or private elementary or secondary school premises: (a) Any firearm, or (b) any dangerous weapon as defined in RCW 9.41.250, or (c) any device, commonly known as 'nun-chu-ka sticks,' consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means, or (d) any device, commonly known as 'throwing stars,' which are multipointed, metal objects designed to embed upon impact from any aspect.

(2) Any person violating subsection (1) of this section is guilty of a class C felony.

(3) Subsection (1) of this section does not apply to:

(a) Any person who by virtue of the person's office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of the duty;

(b) Any person engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or

(c) Any person who has obtained prior written permission from the appropriate public school principal or equivalent private school official to carry the firearm, dangerous weapon, or other device under subsection (1) of this section onto school premises for a legitimate educational objective.

***NEW SECTION.** Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I would like a ruling on the scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "Representative Padden, your point is not well taken. After debate has begun it is too late to raise a point of order."

Mr. Eberle spoke against the amendment.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. King (R).

Mr. King (R): "Representative Armstrong, the language in this amendment uses the term 'knowingly.' Would the fact pattern that was just presented to us of someone returning from hunting and having an unloaded rifle in the pickup, because it's illegal to have a loaded rifle, be guilty of a felony under this law, in your opinion?"

Mr. Armstrong: "I hesitate to answer because I haven't studied the issue fully, but it appears to me that 'knowingly' carrying onto public property is the only definition. If he knows he has that hunting weapon, that's 'knowingly'."

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Erak.

Mr. Erak: "Representative Patrick, you are an experienced police officer and from the comments made by Representative Eberle, I would presume that the officer, if he did see a circumstance such as Representative Eberle described, would he use what we call 'common sense' in this particular matter, or would he automatically place somebody under arrest for a situation like that?"

Mr. Patrick: "Well, Representative Erak, I should point out that the police officer has to follow the law. If the law says it is illegal to carry that firearm on the school premises, then that's the law and it is a felony and the police officer would have to make an arrest. Let me take it one step further. I was a friend of this bill in the Ethics, Law and Justice Committee. I thought it was a good bill at that time and I voted in favor of its passage out of the committee. I didn't realize until after we had passed it out that there is one great big imperfection and that's the fact that the bill doesn't address the citizen who has a concealed weapon permit. Because of that, this is not a perfected amendment, and I would urge you to vote 'no' on the amendment."

Representatives Patrick and Nickell spoke against the amendment.

MOTION

On motion of Mr. Nelson (G), further consideration of Engrossed Senate Bill No. 4470 was deferred.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4655, by Committee on Education (originally sponsored by Senators Kiskaddon, Gaspard, Gould and Hemstad):

Making changes in the learning objectives and basic education school law.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day Regular Session, March 3, 1982.)

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

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

On page 3, line 29 after "basic skills" insert "and work skills"

On page 4, line 14 after "basic skills" insert "and work skills"

On motion of Mr. Taylor, the committee amendment to the title of the bill was adopted.

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

On motion of Mr. Hastings, further consideration of Engrossed Substitute Senate Bill No. 4655 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

SUBSTITUTE SENATE BILL NO. 4859, by Committee on Local Government (originally sponsored by Senators Guess, McCaslin, Hurley and Moore):

Permitting prepayment of retail sales and use taxes imposed by cities, counties and metropolitan municipal corporations.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 52nd Day, March 3, 1982.)

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

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Nelson (G), further consideration of Substitute Senate Bill No. 4859 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

SENATE BILL NO. 4691, by Senators Talmadge, Bottiger and Hemstad:

Making technical corrections in the law of comparative fault and contribution among tortfeasors.

The bill was read the second time.

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

On motion of Mr. Hastings, further consideration of Senate Bill No. 4691 was deferred, and the bill was ordered held on the third reading calendar.

ENGROSSED SENATE BILL NO. 3944, by Senator Guess:

Modifying the labor dispute disqualification for unemployment benefits.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments see Journal, 54th Day, March 5, 1982.)

Mr. Sanders moved adoption of the committee amendments, and they were not adopted.

MOTION FOR RECONSIDERATION

Ms. Brekke moved that the House now reconsider the vote by which the committee amendments were not adopted, and the motion was lost.

Mr. Lux moved adoption of the following amendment:

On page 1, line 13 after "which" strike "he" and insert "(he) the individual"

On motion of Mr. Nelson (G), further consideration of Engrossed Senate Bill No. 3944 was deferred.

ENGROSSED SENATE BILL NO. 3112, by Senators Talmadge, Hemstad, Shinpoch, Vognild and Deccio:

Providing for the award of expenses to prevailing parties in civil actions.

The bill was read the second time.

Committee on Ethics, Law and Justice recommendation: Majority, do pass as amended. (For amendments, see Journal, 51st Day, March 2, 1982.)

Mr. Ellis moved adoption of the committee amendments.

POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I would like a ruling as to the scope and object of this amendment."

The Speaker declared the House to be recessed until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Salatino, who was excused.

SPEAKER'S RULING

The Speaker: "The question before the House is a point of order raised by Representative Armstrong challenging the scope and object of the committee amendment by Committee on Ethics, Law and Justice to Engrossed Senate Bill No. 3112. The original text of ESB 3112 extends the litigation-related costs that may be recovered by the prevailing party in a civil action. Section 1 of the committee amendment follows this same course by allowing the prevailing party in a civil action to bring a claim or counterclaim for damages and reasonable attorney fees where the original action was malicious. Therefore, both the original Senate bill and section 1 of the committee amendment have the object of extending the recourse available to the prevailing party in a civil action. Section 2 of the committee amendment involves the original text of ESB 3112. Section 3 of the committee amendment deals with clarifying the procedures for filing satisfactions of judgments, which is one of the post-litigation procedures

related to civil actions. The original text of ESB 3112 also involves clarifying the post-litigation procedures relating to civil actions. The Speaker will rule that the House committee amendment which strikes the Senate bill is within scope and object. Your point is not well taken."

The Speaker declared the question before the House to be the committee amendment.

Mr. Bickham moved adoption of the following amendment by Representatives Bickham and Scott to the committee amendment:

On page 2, line 30 after "fees" insert "not to exceed two dollars"

Mr. Bickham spoke in favor of the amendment to the committee amendment, and Mr. Ellis spoke against it.

POINT OF INQUIRY

Mr. Bickham yielded to question by Mr. Wang.

Mr. Wang: "Representative Bickham, is it your intent to limit it to \$2 per notarized item, or is it your intent to limit it to \$2 total?"

Mr. Bickham: "That's \$2 per document, Representative Wang."

The amendment to the committee amendment was not adopted.

Mr. Scott moved adoption of the following amendment by Representatives Bickham and Scott to the committee amendment:

On page 3, line 1 after "files" insert "not to exceed the total aggregate cost of fifty dollars"

Mr. Scott spoke in favor of the amendment to the amendment, and Mr. Ellis spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Bickham moved adoption of the following amendment by Representatives Bickham and Scott to the committee amendment:

On page 3, line 6 after "trial" insert "in lieu of the personal presence of the witness"

Mr. Bickham spoke in favor of the amendment to the committee amendment, and Mr. Ellis spoke against it.

The amendment to the committee amendment was not adopted.

The Speaker declared the question before the House to be the committee amendment.

Mr. Armstrong spoke against adoption of the committee amendment, and Representatives Patrick, Tilly and Ellis spoke in favor of it.

The committee amendment was adopted.

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

On motion of Mr. Hastings, further consideration of Engrossed Senate Bill No. 3112 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

MOTIONS

Mr. Heck moved that the Rules Committee be relieved of ENGROSSED SENATE BILL NO. 4661, and the bill be placed on today's second reading calendar.

Mr. Nelson (G) moved that the motion by Representative Heck be tabled.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the motion to relieve the Rules Committee of Engrossed Senate Bill No. 4661 be tabled, and the motion was carried by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith,

Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative Salatino.

SENATE BILL NO. 4909, by Senator Fuller:

Modifying provisions relating to the solid waste advisory committee.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 51st Day, Regular Session, March 2, 1982.)

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

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

On motion of Mr. Hastings, further consideration of Senate Bill No. 4909 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

SENATE BILL NO. 4619, by Senators Metcalf, Conner and Gallagher:

Requiring dissemination to doctors information on certain health problems of veterans.

The bill was read the second time.

Committee on Human Services recommendation: Majority, do pass with the following amendment:

On page 1, line 5 after "all" insert "licensed" and on line 6 after "centers" strike "licensed"

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

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

On motion of Mr. Hastings, further consideration of Senate Bill No. 4619 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

SENATE BILL NO. 4706, by Senators Talley, Quigg and Gallagher:

Renaming State Route 504 the Spirit Lake Memorial Highway and correcting its route description.

The bill was read the second time.

On motion of Mr. Williams, the following amendments by Representatives Williams and Thompson were adopted:

On page 1, section 1, line 7 after "known as" strike "~~((state route number 504))~~" and insert "state route number 504, hereby designated"

On page 1, after line 16 insert the following:

*NEW SECTION. Sec. 2. There is added to chapter 47.20 RCW a new section to read as follows:

The department of transportation may provide for the construction of an extension of state route number 504 from the vicinity of Maple Flats to the vicinity of the United States Corps of Engineers debris dam on the north fork of the Toutle river on an alignment to be approved by the department of transportation. The department may enter into an agreement with the principal owner of the necessary right of way providing as follows:

(1) The owner of the right of way shall construct the highway extension and public parking facilities as specified by the department of transportation.

(2) The owner of the right of way shall convey to the state, right of way for the highway extension a minimum of one hundred fifty feet in width (except right of way presently under the control of the department of natural resources), together with areas for public parking facilities as designated by the department of transportation.

(3) The department of transportation shall reimburse the present owner of the right of way for the actual cost of construction of the highway extension and the public parking facilities.

(4) The construction of the highway extension and public parking facilities shall be completed within one year after the effective date of this act.

The department of transportation may acquire that part of the right of way necessary for the highway extension that is now under the control of the department of natural resources in the manner provided in RCW 47.12.023 through 47.12.029.

All expenditures by the department of transportation pursuant to this section shall be from appropriations for the construction of category A projects.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title after "Highway;" strike "and"

In line 3 of the title after "47.17.655" and before the period insert "adding a new section to chapter 47.20 RCW; and declaring an emergency"

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

On motion of Mr. Hastings, further consideration of Senate Bill No. 4706 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

ENGROSSED SENATE BILL NO. 3587, by Senator Gaspard:

Implementing law relating to kindergartens.

The bill was read the second time.

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

On motion of Mr. Hastings, further consideration of Engrossed Senate Bill No. 3587 was deferred, and the bill was ordered held on the third reading calendar.

SENATE BILL NO. 4199, by Senators Craswell, Gallagher, Gould and Moore:

Establishing the Frances Haddon Morgan Children's Center as a state residential school.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Hastings, further consideration of Senate Bill No. 4199 was deferred, and the bill was ordered held on the third reading calendar.

SENATE BILL NO. 4749, by Senators Haley, Wojahn, Lee, Gould and Hayner:

Repealing voter qualifications previously found unconstitutional.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

On motion of Mr. Hastings, further consideration of Senate Bill No. 4749 was deferred, and the bill was ordered held on the third reading calendar.

SUBSTITUTE SENATE BILL NO. 4561, by Committee on Commerce and Labor (originally sponsored by Senators Deccio and Moore - by Department of Licensing request):

Revising authorized limits for certain professional and other fees.

The bill was read the second time.

On motion of Mr. Hastings, further consideration of Substitute Senate Bill No. 4561 was deferred.

ENGROSSED SENATE BILL NO. 3944:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Representative Lux to page 1, line 13.

Mr. Grimm demanded an oral roll call vote on the amendment, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the amendment by Representative Lux to Engrossed Senate Bill No. 3944, and the amendment was not adopted by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Winsley.

Voting nay: Representatives Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Amen, Salatino, Warnke.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick, Dawson, Isaacson and Hankins:

On page 2, after line 3 insert:

"(3) The disqualification under subsection (1) of this section shall not apply if the individual's unemployment is a result of the individual's employer initiating an offensive lock-out, and was not the result of a defensive lock-out by an employer or employers within a multi-employer bargaining unit."

Representatives Patrick and King (J) spoke in favor of the amendment, and Representatives Sanders and McGinnis spoke against it.

Mr. Brown demanded an oral roll call on the amendment, and the demand was sustained.

Mr. Barrett spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick and others to Engrossed Senate Bill No. 3944, and the amendment was not adopted by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Dawson, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Heck, Hine, Isaacson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Williams, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hastings, Houchen, James, Johnson, Leonard, Lewis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wilson, and Mr. Speaker.

Not voting: Representatives Salatino, Warnke.

Mr. Lux moved adoption of the following amendment:

On page 2, following subsection (2) insert:

"(3) The disqualification under subsection (1) of this section shall not apply following permanent replacement of an individual by the employer."

Representatives Lux, Scott and King (J) spoke in favor of the amendment, and Mr. Barrett spoke against it.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux to page 2 of Engrossed Senate Bill No. 3944, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Wang, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Salatino, Warnke.

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

On motion of Mr. Hastings, further consideration of Engrossed Senate Bill No. 3944 was deferred, and the bill was ordered held on the third reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4418, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Enacting the social and health services financial responsibility act.

The bill was read the second time.

Committee on Appropriations – Human Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 56th Day, March 7, 1982)

Mr. Nisbet moved adoption of the committee amendments.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Taylor to the committee amendment:

On page 12, line 38 after "act" insert "PROVIDED HOWEVER, That a hospital which charges no fee to users of its services, presents no billing, either directly or indirectly to users of its services, and presents no billings and accepts no payment for services from private or public insurers, shall be exempt from fees for licensure and inspection"

Mr. Padden spoke in favor of the amendment to the amendment, and Mr. Nisbet spoke against it.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Padden, an HMO is not considered an insurance company. I would presume that the premiums would not be considered insurance premiums. Could you clarify whether or not this particular provision would exempt public facilities owned by HMO's?"

Mr. Padden: "Representative Dawson, no, this would not. It is only for hospitals and as I indicated earlier, hospitals which charge no fees to users, present no billings, either directly or indirectly to users and would only involve basically charitable institutions."

Mr. Taylor spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Nisbet yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Nisbet, what would be the fiscal impact if we were to eliminate the fees from the Shriner hospitals?"

Mr. Nisbet: "Quite frankly, I don't know what they would be. I believe it's one or two hundred dollars."

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Mitchell.

Mr. Mitchell: "Representative Padden, would the Orthopedic Hospital be included under this amendment?"

Mr. Padden: "No, it would be my opinion that the Orthopedic Hospital would not be included because they do accept insurance moneys and as indicated in the amendment, that would exclude them, so they would not be covered."

Representatives Becker and Mitchell spoke against the amendment to the amendment, and Mr. Padden spoke again in favor of it.

Mr. Nisbet again opposed the amendment to the amendment, and Mr. Taylor spoke again in favor of it.

The amendment to the amendment was not adopted.

The Speaker stated the question before the House to be the committee amendment.

Mr. Nisbet spoke in favor of the amendment, and it was adopted.

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

On motion of Mr. Hastings, further consideration of Engrossed Substitute Senate Bill No. 4418 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

The Speaker declared the House to be at ease until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker.

MESSAGES FROM THE SENATE

March 9, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 757,
HOUSE BILL NO. 947,
SUBSTITUTE HOUSE BILL NO. 1047,
HOUSE CONCURRENT RESOLUTION NO. 47,
SENATE BILL NO. 4831,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 887,
HOUSE BILL NO. 897,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 936,
HOUSE BILL NO. 942,
ENGROSSED HOUSE BILL NO. 1074,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3156,
SECOND SUBSTITUTE SENATE BILL NO. 3541,
SUBSTITUTE SENATE BILL NO. 3927,
SUBSTITUTE SENATE BILL NO. 4716,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has concurred in the House amendment(s) to the following bills, and has passed the bills as amended by the House:

ENGROSSED SENATE BILL NO. 3297,
SUBSTITUTE SENATE BILL NO. 3361,
SENATE BILL NO. 3795,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4115,
SENATE BILL NO. 4436,
SUBSTITUTE SENATE BILL NO. 4438,
SENATE BILL NO. 4468,
ENGROSSED SENATE BILL NO. 4544,
SENATE BILL NO. 4584,
SENATE BILL NO. 4660,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4728,
SENATE BILL NO. 4905.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 871,
SUBSTITUTE HOUSE BILL NO. 887,
HOUSE BILL NO. 897,

HOUSE BILL NO. 934,
 HOUSE BILL NO. 942,
 HOUSE BILL NO. 1072,
 HOUSE BILL NO. 1074,
 SENATE BILL NO. 3156,
 SECOND SUBSTITUTE SENATE BILL NO. 3541,
 SUBSTITUTE SENATE BILL NO. 3927,
 SUBSTITUTE SENATE BILL NO. 4716,
 SENATE BILL NO. 4831.

SECOND READING

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to be the point of order raised by Representative Ehlers on the amendment by Representative Vander Stoep to the committee amendment.

With the consent of the House, Mr. Vander Stoep withdrew the amendment.

On motion of Mr. Vander Stoep, the following amendment to the committee amendment was adopted:

On page 6 of the committee amendment following section 4 add a new section to read as follows:

*NEW SECTION. Sec. 5. there is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The intent of this section is to enhance the effectiveness of educational service districts by establishing a pilot program which will permit selected school districts in conjunction with their educational service district to operate on a flexible school year basis.

In addition to determining whether or not a flexible school year aids educational service districts in the accomplishment of their goals it shall be the objective of this pilot program to determine if cost savings, constant or improved achievement, and positive support from students, staff, parents, and the community will result from adopting a school year based on a four-day work week.

Notwithstanding the requirement of a school term of at least one hundred eighty days in RCW 28A.58.180, 28A.01.025, 28A.41.130, 28A.41.170, 28A.58.075, 28A.58.754 or 28A.59.180, or in other provision of law, any school district chosen to participate in the flexible school year pilot program pursuant to this section shall be required to maintain a minimum school term of at least a total number of hours equal to the minimum program hour offering required for each grade level under RCW 28A.58.754. Funding shall not be reduced to any school district due to participation in this program.

Any school district may apply to the superintendent of public instruction for participation in the flexible school year project through its educational service district. At least one public hearing must be held by the school district prior to application. Application must be submitted no later than May 1 of each year prior to the 1982-83 and 1983-84 school year on forms provided by the superintendent of public instruction to educational service districts and shall include an assurance by the school district that the following conditions will be met:

- (1) The school will work closely with its educational service district to insure the maximum benefit of the program is obtained by this schedule change;
- (2) The school year will be based on a four-day week;
- (3) Participation will be for a minimum of one complete school year;
- (4) Participation for two school years, although not required, will be a goal of the district;
- (5) Additional fiscal data as required by the superintendent of public instruction or educational service district will be reported;
- (6) A district survey of students, parents, staff, and the community will be conducted and reported as required by the superintendent of public instruction or educational service district.

The superintendent of public instruction shall:

- (a) Prepare and distribute project applications to educational service districts;
- (b) Select up to ten school districts that have an educational service district that apply for the project; every effort shall be made to select a cross section of districts based on enrollment, geographical size, historic use of educational service districts and location;
- (c) Collect such fiscal information necessary to evaluate the cost impact of a flexible school year;
- (d) Prepare, distribute to districts, and collect the results of a survey of students, district staff, parents, and the community at the end of each school year;
- (e) Submit a project report which shall include an analysis of the impact on educational service districts to the education and ways and means committees of the house of representatives and senate by October 1,

1983 and October 1, 1984. The superintendent of public instruction and the state board of education may adopt new or amended rules as necessary to carry out this pilot project."

Renumber the remaining section consecutively.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Galloway to the committee amendment:

On page 6, after line 11 insert the following:

"NEW SECTION, Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

In addition to the procedure provided in RCW 28A.57.415 for returning to the system of school directors running at large, upon receipt of written notice from any school district superintendent of a school district theretofore divided into directors' districts, that such school district board of directors by majority vote requests a return to the system of directors running at large within the district, an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in the election is acquired, at the expiration of terms of the incumbent directors of such school district their successors shall be elected at large.

Nothing in this section is applicable to any school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, or (2) formed through the consolidation of two or more preexisting school districts.

Sec. 7. Section 9, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.415 are each amended to read as follows:

In addition to the procedure provided in section 6 of this amendatory act for returning to the system of school directors running at large, upon receipt of a written petition ((by an educational service district superintendent)) signed by at least twenty percent of the registered voters of a school district theretofore divided into directors' districts ((after a majority vote thereon in accordance with RCW 28A.57.050(4)), as now or hereafter amended)), which petition shall request a return to the system of directors running at large within the district, ((the)) an educational service district superintendent, after formation of the question to be submitted to the voters, shall give notice thereof to the county auditor who shall call and hold a special election of the voters of the entire school district to approve or reject such proposal, such election to be called, conducted and the returns canvassed as in regular school district elections.

If approval of a majority of those registered voters voting in said election is acquired, at the expiration of terms of the incumbent directors of such school district their successors shall be elected at large.

Nothing in this section is applicable to any school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, or (2) formed through the consolidation of two or more preexisting school districts.

Sec. 8. Section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.344 are each amended to read as follows:

The board of directors of every school district other than a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties which is not divided into directors' districts may submit to the voters at any regular school district election a proposition to authorize the county committee to divide the district into directors' districts. Alternatively, upon receipt of a written petition signed by at least twenty percent of the registered voters in a school district, other than a school district either (1) of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties or (2) formed through the consolidation of two or more pre-existing school districts, which petition requests the district to be divided into directors' districts, an educational service district superintendent shall give notice thereof to the county auditor who shall submit the proposal to voters at the next regular school district election. If a majority of the votes cast on the proposition shall be affirmative, the county committee shall proceed to divide the district into directors' districts. ((Such director districts, if approved, shall not become effective until the next regular school election when a new five member board of directors shall be elected, one from each of five director districts from among the residents of the respective director district by the electors of the entire district, two for a term of two years and three for a term of four years, unless such district elects its directors for six years, in which case, one for a term of two years, two for a term of four years, and two for a term of six years.))

After the division, the chairman of the school district board of directors shall designate an existing school board member to represent each of the director districts. Any director district having only one existing school board member residing within its boundaries shall be represented by that member. Any director district with more than one member residing within its boundaries shall be represented by the member whose term expires last. If there are two or more members whose terms will expire simultaneously and later than any other member or members residing within the director district, the chairman of the school district board of directors shall determine which member shall represent the director district. At the expiration of the term of each school board member, the electors of the director district represented by the member shall select a resident to represent the director district on the school board."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, Rule 14E says no amendment may change the scope and object of the bill."

SPEAKER'S RULING

The Speaker: "Representative Ehlers, Engrossed Senate Bill No. 3242 amends 28A.57, and I find the amendment offered also amends 28A.57. The bill also adds a new section to RCW 28A.57. The bill in its scope is dealing primarily with educational service districts, but it also deals with the offices of the directors of school districts. The amendment is dealing with the election of directors of school districts. There was a very similar amendment offered a year ago which, at that time, the Speaker ruled was within the scope and object and I will do so again. I will rule that your point of order is not well taken."

Mr. Tilly spoke in favor of the amendment to the committee amendment and it was adopted.

The committee amendment as amended was adopted.

On motion of Mr. Taylor the committee amendment to the title was adopted.

On motion of Mr. Vander Stoep, the following amendment to the title was adopted:

On line 12 of the title after "28A.57.255;" strike the remainder of the title and insert "creating new sections; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW"

On motion of Mr. Tilly, the following amendment to the title was adopted:

On page 1, line 12 of the title after "28A.57.255;" insert "amending section 9, chapter 15, Laws of 1975-'76 2nd ex. sess. and RCW 28A.57.415; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 183, Laws of 1979 ex. sess. and RCW 28A.57.344; adding a new section to chapter 223, laws of 1969 ex. sess. and to chapter 28A.57 RCW;"

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

On motion of Mr. Hastings, further consideration of Engrossed Senate Bill No. 3242 as amended by the House was deferred, and the bill was ordered held on the third reading calendar.

The Speaker called on Mr. Amen to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, by Committee on Transportation (originally sponsored by Senators von Reichbauer and Talley):

Authorizing an extended industrial development levy by port districts.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 28 strike all material down to and including "proposition." on page 2, line 19.

Mr. Sanders moved adoption of the committee amendment. Representatives Sanders and Monohon spoke in favor of it and it was adopted.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan, Brown and Grengo:

On page 1, after line 27 insert a new paragraph as follows:

"A port district that is not imposing a levy under this section collectible in 1982 may only commence imposing levies under this section if it receives voter approval of a proposition authorizing such levies that is approved by majority vote of the port district voters voting on the proposition. This requirement for obtaining voter approval applies whether or not a port district has previously imposed levies under this section."

Representatives Flanagan, Grengo, Brown, Addison and Kaiser spoke in favor of the amendment, and Representatives Sanders, Martinis and Monohon spoke against it.

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

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Flanagan and others to Engrossed Substitute Senate Bill No. 4963, and the amendment was adopted by the following vote: Yeas, 71; nays, 22; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Fancher, Fiske, Flanagan, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lux, Maxie, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Sherman, Smith, Sprague, Stratton, Taylor, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Chamberlain, Erak, Gallagher, Galloway, Garrett, Garson, Heck, King J., King R., Kreidler, Lundquist, Martinis, McCormick, McDonald, Monohon, O'Brien, Sanders, Scott, Struthers, Tilly.

Not voting: Representatives Salatino, Sommers, Teutsch, Thompson, Warnke.

MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House immediately reconsider the vote by which the amendment by Representatives Flanagan, Addison, Brown and Greengo was adopted.

Representatives Barrett, King (J), Ehlers and Scott spoke in favor of the motion, and Representatives Taylor, Flanagan and Clayton spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representative Flanagan and others to Engrossed Substitute Senate Bill No. 4963 was adopted, and the motion was carried by the following vote: Yeas, 53; nays, 40; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Barnes, Barrett, Becker, Brown, Burns, Chamberlain, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Galloway, Garrett, Garson, Grimm, Hankins, Heck, Isaacson, Johnson, King J., King R., Kreidler, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, O'Brien, Owen, Patrick, Pruitt, Rinehart, Sanders, Schmidt, Scott, Sherman, Stratton, Struthers, Tilly, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Bender, Berleen, Bickham, Bond, Brekke, Cantu, Chandler, Clayton, Cole, Dickie, Fancher, Flanagan, Gallagher, Granlund, Greengo, Hastings, Hine, Houchen, James, Kaiser, Leonard, Lux, Nelson D., Nickell, North, Padden, Prince, Rosbach, Rust, Smith, Sprague, Taylor, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang.

Not voting: Representatives Salatino, Sommers, Teutsch, Thompson, Warnke.

The Speaker stated the question before the House to be the amendment by Representatives Flanagan, Addison, Brown and Greengo.

Representatives Addison and Brown spoke in favor of the amendment, and Representatives Barrett, King (J), Padden and Martinis spoke against it.

Ms. Hankins demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of the adoption of the amendment by Representative Flanagan and others to Engrossed Substitute Senate Bill No. 4963, and the amendment was adopted by the following vote: Yeas, 58; nays, 34; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Fancher, Flanagan, Granlund, Greengo, Hastings, Hine, Houchen, Isaacson, James, Kaiser, Leonard, Lewis, Lux, Maxie, Nelson D., Nelson G. A., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rust, Schmidt, Sherman, Smith, Sommers, Sprague, Taylor, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Chamberlain, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Grimm, Hankins, Heck, Johnson, King J., King R., Kreidler, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, O'Brien, Rosbach, Sanders, Scott, Stratton, Struthers, Tilly, Williams.

Not voting: Representatives Bender, Salatino, Teutsch, Thompson, Warnke, Winsley.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4963 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., King R., Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Burns, Ehlers, Garrett, Grimm, James, Kaiser, Kreidler, Martinis, North, Rinehart, Walk, Wilson.

Not voting: Representatives Salatino, Warnke.

Engrossed Substitute Senate Bill No. 4963 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the amendment by Committee on Institutions to page 7, line 19.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 7 of Engrossed Senate Bill No. 4733, and the amendment was not adopted by the following vote: Yeas, 44; nays, 50; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Barrett, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Garrett, Grimm, Heck, Hine, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Teutsch, Tupper, Valle, Van Dyken, Walk, Wang.

Voting nay: Representatives Amen, Barnes, Barr, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Patrick, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives King J., Salatino, Thompson, Warnke.

MOTION FOR RECONSIDERATION

Ms. Galloway, having voted on the prevailing side, moved that the House do immediately reconsider the vote by which the committee amendment was not adopted.

Mr. Van Dyken spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the committee amendment to page 7, line 19 of Engrossed Senate bill No. 4733 was not adopted, and the motion was carried by the following vote: Yeas, 75; nays, 18; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Tupper, Valle, Van Dyken, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bond, Chamberlain, Chandler, Eberle, Ellis, Fancher, Flanagan, Greengo, Hastings, McGinnis, Nelson G. A., Sanders, Sprague, Struthers, Taylor, Tilly, Vander Stoep.

Not voting: Representatives McDonald, Salatino, Teutsch, Thompson, Warnke.

Representatives Van Dyken and Scott spoke in favor of the committee amendment, and Mr. Struthers spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of the committee amendment to page 7 of Engrossed Senate Bill No. 4733, and the amendment was adopted by the following vote: Yeas, 48; nays, 45; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Garson, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nickell, North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Van Dyken, Walk, Wang.

Voting nay: Representatives Amen, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Dawson, McDonald, Salatino, Teutsch, Warnke.

Mr. Van Dyken moved adoption of the committee amendment to page 11, line 35.

Representatives Van Dyken and Kreidler spoke in favor of the amendment, and it was adopted.

On motion of Mr. Van Dyken, the committee amendment to page 17, line 2 was adopted.

Mr. Van Dyken moved adoption of the committee amendment to page 17, line 9.

Ms. Becker moved adoption of the following amendment to the committee amendment:

On page 3, line 20 after "paid." insert "Fees established pursuant to this section shall also be imposed where a divertible child is referred to the court pursuant to RCW 13.40.080(5), and where the diversion unit, pursuant to RCW 13.40.080(10) refuses to enter into a diversion unit and the juvenile is referred to court."

Representatives Becker and Van Dyken spoke in favor of the amendment to the amendment, and it was adopted.

The committee amendment to page 17 as amended was adopted.

The Clerk read the following amendment by Representative Becker:

On page 3, line 9 after "used" strike "for juvenile services" and insert "exclusively for costs and expenses of juvenile diversion programs: PROVIDED, That fines and monetary penalties authorized and assessed pursuant to this chapter shall not be considered or credited to any moneys appropriated by the legislature to fund juvenile diversion programs"

With the consent of the House, Ms. Becker withdrew the amendment.

The Clerk read the following amendment by Representative Padden:

On page 10, after line 10 insert the following:

"Sec. 4. Section 15, chapter 299, Laws of 1981 and RCW 13.40.185 are each amended to read as follows:

(1) Any term of confinement imposed for an offense which exceeds thirty days shall be served under the supervision of the department. If the period of confinement imposed for more than one offense exceeds thirty days but the term imposed for each offense is less than thirty days, the confinement may, in the discretion of the court, be served in a juvenile facility operated by or pursuant to a contract with the state or a county.

(2) To the greatest extent feasible, the department shall confine offenders in private not-for-profit group homes. Offenders shall be confined in state juvenile facilities only when required for public safety or when a group home placement is not available.

Renumber the remaining sections consecutively and correct any internal references accordingly.

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

On motion of Mr. Van Dyken, the committee amendments to the title of the bill were adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4733 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson,

Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Salatino, Tupper, Warnke.

Engrossed Senate Bill No. 4733 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4684, by Committee on Agriculture (originally sponsored by Senators Newhouse, Benitz, Zimmerman and Hansen - by Department of Agriculture request):

Authorizing the director of agriculture to take emergency measures against plant pests and diseases.

The bill was read the second time.

Committee on Agriculture recommendation: Majority, do pass as amended. (For amendment, see Journal, 47th Day, February 26, 1982.)

Mr. Smith moved adoption of the committee amendment.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 56th Day, March 7, 1982.)

Mr. Nelson (G) moved adoption of the Committee on Ways and Means amendment.

Representatives Nelson (G) and Becker spoke in favor of the amendment, and Mr. Smith spoke against it.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Chandler, in making this policy decision on this language, did you have testimony from the Department of Agriculture?"

Mr. Chandler: "I don't recall any testimony on this amendment, no. It does seem to me that they were there, but I don't think we had any testimony."

Representatives Hastings, Tilly, Van Dyken and Chandler spoke against the amendment, and Ms. Becker spoke again in favor of it.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Chandler, were there estimates made at the time of the hearings by the Ways and Means Committee on this subject as to what the potential liability to the state might be? If so, what were those estimates?"

Mr. Chandler: "No."

The amendment by the Committee on Ways and Means was not adopted.

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Committee on Agriculture.

On motion of Mr. Smith, the following amendment by Representatives Smith and Galloway to the committee amendment was adopted:

On page 8, after line 29 of the amendment, add a new section to read as follows:

"NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining sections consecutively.

Mr. Hastings moved adoption of the following amendment by Representatives Hastings, Sommers, Galloway and Padden to the committee amendment:

On page 9 of the amendment after line 7 insert the following:

"NEW SECTION. Sec. 6. There is added to chapter 19.92 RCW a new section to read as follows:

No person may sell, or offer or expose for sale, any bread unless the weight of the bread is clearly marked on the package or wrap containing the bread or, for unpackaged bread, the weight of the bread is otherwise clearly indicated to the purchaser.

NEW SECTION. Sec. 7. the following acts or parts of acts are each repealed:

(1) Section 10, chapter 194, Laws of 1927, section 1, chapter 214, Laws of 1937, section 1, chapter 61, Laws of 1955 and RCW 19.92.100;

(2) Section 3, chapter 61, Laws of 1955 and RCW 19.92.110; and

(3) Section 4, chapter 61, Laws of 1955 and RCW 19.92.120."

Renumber the remaining section consecutively.

POINT OF ORDER

Mr. Bickham: "Mr. Speaker, I would call your attention to scope and object of this amendment. This amendment concerns itself with bread, and I think the basic bill talks about apple maggots."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Bickham, the act is an act relating to plant pests and diseases; the amendment pertains to bread size and weight. Your point is well taken."

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by the Committee on Agriculture as amended.

Representatives Smith and Galloway spoke in favor of the amendment as amended, and it was adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4684 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Cole, Dawson, Garrett, Nelson D., Rinehart, Stratton, Wang.

Not voting: Representatives Salatino, Teutsch.

Substitute Senate Bill No. 4684 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Amen presiding) called on Mr. Hastings to preside.

SENATE BILL NO. 3394, by Senators Goltz, Bottiger and Quigg:

Increasing the tax credits for cogeneration facilities.

The bill was read the second time.

Committee on Energy and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 47th Day, February 26, 1982.)

Mr. Barnes moved adoption of the committee amendment to page 1, line 12.

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

the amendment was not adopted.

Mr. Barnes moved adoption of the committee amendment to page 2.

Representatives Barnes, Fancher and Barr spoke in favor of the amendment, and Representatives Sommers and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 2 of Senate Bill No. 3394, and the amendment was adopted by the following vote: Yeas, 52; nays, 40; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bender, Berleen, Bickham, Bond, Cantu, Chandler, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Galloway, Garson, Granlund, Hastings, Hine, Houchen, James, Johnson, Lewis, Lundquist, Martinis, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Sherman, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Becker, Brekke, Brown, Burns, Clayton, Cole, Ehlers, Eng, Erak, Flanagan, Gallagher, Garrett, Greengo, Grimm, Hankins, Heck, Isaacson, Kaiser, King R., Kreidler, Leonard, Lux, Maxie, McCormick, Nelson D., North, O'Brien, Rinehart, Rust, Schmidt, Scott, Smith, Sommers, Stratton, Thompson, Valle, Warnke, Winsley.

Not voting: Representatives Chamberlain, King J., Owen, Salatino, Teutsch, Walk.

Ms. Sommers moved adoption of the following amendments by Representatives Sommers, Barnes, Nelson (D) and Greengo:

On page 1, line 13 strike "~~(two) ten~~" and insert "two"

On page 1, line 29 before the period insert "less the total amount of federal investment credit or other federal tax credits applicable to the cogeneration facility"

On page 2, line 1 after "(5)" strike the balance of the bill and insert "(The total cumulative amount of credits against state taxes authorized by this chapter shall be reduced by the total amount of any federal investment credit or other federal tax credit actually received by the certificate holder applicable to the cogeneration facility. This reduction shall be made as an offset against the credit claimed in the first reporting period following the allowance of the investment credit, or other credit, and thereafter as an offset against any credit balance as it shall become available to the certificate holder) State credits shall not become available until one year after final cost verification by the department."

Representatives Sommers and Barnes spoke in favor of the amendments, and they were adopted.

On motion of Mr. Barnes, the following amendments by Representatives Barnes, Sommers, Nelson (D) and Greengo were adopted:

On page 2, after line 9 insert the following:

"Sec. 2. Section 4, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.040 are each amended to read as follows:

(1) No certificate or supplement may be issued after December 31, 1984. No certificate including a supplement thereto may be issued for cogeneration facility costs in excess of ten million dollars for any application submitted under this chapter.

(2) The department shall keep a running tabulation of the total cogeneration facility costs incurred or planned to be incurred pursuant to certificates or supplements issued under this chapter. The department may not issue any new certificates or any supplement if the certificate or supplement would result in the tabulation exceeding one hundred million dollars. Nothing in this section shall be deemed to bar any certificate holder from amending the certificate or obtaining a supplement thereto so long as the amendment or supplement is issued prior to December 1, 1984, and does not increase the total amount of cogeneration facility costs incurred or planned to be incurred under the original certificate.

(3) The department may adopt any rules under chapter 34.04 RCW it considers necessary for the administration of this chapter.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title strike "and" and insert "amending section 4, chapter 191, Laws of 1979 ex. sess. and RCW 82.35.040;"

On page 1, line 2 of the title after "82.35.050" insert "; and declaring an emergency"

On motion of Mr. Barnes, the committee amendments to the title were adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3394 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler,

Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley.

Voting nay: Representatives Berleen, Isaacson.

Not voting: Representatives Chamberlain, Salatino, and Mr. Speaker.

Senate Bill No. 3394 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4366, by Senators Rasmussen and Craswell:

Modifying penalties for unlawful issuance of checks or drafts.

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

Representatives Ellis and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4366, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Engrossed Senate Bill No. 4366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4917 as amended by the House, by Committee on Education (originally sponsored by Senator Kiskaddon):

Redefining superintendent of public instruction position on state board of education.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4917 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Grimm, Walk.

Not voting: Representative Salatino.

Substitute Senate Bill No. 4917 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4655 as amended by the House, by Committee on Education (originally sponsored by Senators Kiskaddon, Gaspard, Gould and Hemstad):

Making changes in the learning objectives and basic education school law.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4655 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Eng, Heck.

Not voting: Representative Salatino.

Engrossed Substitute Senate Bill No. 4655 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4859 as amended by the House, by Committee on Local Government (originally sponsored by Senators Guess, McCaslin, Hurley and Moore):

Permitting prepayment of retail sales and use taxes imposed by cities, counties, and metropolitan municipal corporations.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4859 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Owen, Rinehart, Salatino, Walk.

Substitute Senate Bill No. 4859 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4691, by Senators Talmadge, Bottiger and Hemstad:

Making technical corrections in the law of comparative fault and contribution among tortfeasors.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4691, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Teutsch.

Not voting: Representative Salatino.

Senate Bill No. 4691, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3112 as amended by the House, by Senators Talmadge, Hemstad, Shinpoch, Vognild and Deccio:

Providing for the award of expenses to prevailing parties in civil actions.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3112 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Galloway, Teutsch.

Not voting: Representative Salatino.

Engrossed Senate Bill No. 3112 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4909 as amended by the House, by Senator Fuller:

Modifying provisions relating to the solid waste advisory committee.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4909 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Salatino, Teutsch.

Senate Bill No. 4909 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4619 as amended by the House, by Senators Metcalf, Conner and Gallagher:

Requiring dissemination to doctors information on certain health problems of veterans.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4619 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley and Mr. Speaker.

Not voting: Representative Salatino.

Senate Bill No. 4619 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4706 as amended by the House, by Senators Talley, Quigg and Gallagher:

Renaming State Route 504 as the Spirit Lake Memorial Highway and correcting its route description.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4706 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley and Mr. Speaker.

Not voting: Representative Salatino.

Senate Bill No. 4706 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3587, by Senator Gaspard:

Implementing law relating to kindergartens.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3587, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden,

Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley and Mr. Speaker.

Not voting: Representative Salatino.

Engrossed Senate Bill No. 3587, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4199, by Senators Craswell, Gallagher, Gould and Moore:

Establishing the Frances Haddon Morgan Children's Center as a state residential school.

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

Ms. Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4199, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley and Mr. Speaker.

Not voting: Representative Salatino.

Senate Bill No. 4199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4749, by Senators Haley, Wojahn, Lee, Gould and Hayner:

Repealing voter qualifications previously found unconstitutional.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4749, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley and Mr. Speaker.

Not voting: Representative Salatino.

Senate Bill No. 4749, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4418, as amended by the House, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Enacting the social and health services financial responsibility act.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4418 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Garrett, Maxie, Rinehart, Teutsch, Wang.

Not voting: Representative Salatino.

Engrossed Substitute Senate Bill No. 4418 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3242 as amended by the House, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3242 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 35; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Greengo, Hastings, Hine, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Prince, Rosbach, Rust, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Eberle, Ehlers, Eng, Gallagher, Garrett, Granlund, Grimm, Hankins, Heck, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., North, Owen, Patrick, Pruitt, Rinehart, Scott, Sherman, Teutsch, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Erak, Salatino.

Engrossed Senate Bill No. 3242 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 15** with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 69.50.505, chapter 308, Laws of 1971 ex. sess. as last amended by section 3, chapter 48, Laws of 1981 and by section 32, chapter 67, Laws of 1981 and RCW 69.50.505 are each reenacted and amended to read as follows:

(a) The following are subject to seizure and forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of this chapter;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in paragraphs (1) or (2), but:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent;

(iii) A conveyance is not subject to forfeiture for a violation of RCW 69.50.401((c))(d); (and);

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter the conveyance may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter;

(6) All drug paraphernalia; and

(7) All moneys, negotiable instruments, securities, or other intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter: PROVIDED, That no property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent.

(b) Property subject to forfeiture under this chapter may be seized by any board inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, of the seizure and intended forfeiture of the seized property. The notice may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) or (a)(7) of this section within forty-five days of the seizure, the item seized shall be deemed forfeited.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) or (a)(7) of this section within forty-five days of the seizure, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is more than five hundred dollars. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of items specified in subsection (a)(4) or (a)(7) of this section. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(4) or (a)(7) of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this title shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Fifty percent of the money remaining after payment of such expenses shall be deposited in the criminal justice training account established under RCW 43.101.210 which shall be appropriated by law to the Washington state criminal justice training commission and fifty percent shall be deposited in the general fund of the state, county, and/or city of the seizing law enforcement agency;

(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(4) Forward it to the Bureau for disposition.

(g) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the

state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.

(i) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

NEW SECTION. Sec. 2. The legislature finds that imitation controlled substances are being manufactured to imitate the appearance of the dosage units of controlled substances for sale to school age youths and others to facilitate the fraudulent sale of controlled substances. The legislature further finds that manufacturers are endeavoring to profit from the manufacture of these imitation controlled substances while avoiding liability by accurately labeling the containers or packaging which contain these imitation controlled substances. The close similarity of appearance between dosage units of imitation controlled substances and controlled substances is indicative of a deliberate and wilful attempt to profit by deception without regard to the tragic human consequences. The use of imitation controlled substances is responsible for a growing number of injuries and deaths, and the legislature hereby declares that this chapter is necessary for the protection and preservation of the public health and safety.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Controlled substance' means a substance as that term is defined in chapter 69.50 RCW.

(2) 'Distribute' means the actual or constructive transfer (or attempted transfer) or delivery or dispensing to another of an imitation controlled substance.

(3) 'Imitation controlled substance' means a substance that is not a controlled substance, but which by appearance or representation would lead a reasonable person to believe that the substance is a controlled substance. Appearance includes, but is not limited to, color, shape, size, and markings of the dosage unit. Representation includes, but is not limited to, representations or factors of the following nature:

(a) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;

(b) Statements made to the recipient that the substance may be resold for inordinate profit; or

(c) Whether the substance is packaged in a manner normally used for illicit controlled substances.

(4) 'Manufacture' means the production, preparation, compounding, processing, encapsulating, packaging or repackaging, or labeling or relabeling of an imitation controlled substance.

NEW SECTION. Sec. 4. (1) It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance. Any person who violates this subsection shall, upon conviction, be guilty of a class C felony.

(2) Any person eighteen years of age or over who violates subsection (1) of this section by distributing an imitation controlled substance to a person under eighteen years of age is guilty of a class B felony.

(3) It is unlawful for any person to cause to be placed in any newspaper, magazine, handbill, or other publication, or to post or distribute in any public place, any advertisement or solicitation offering for sale imitation controlled substances. Any person who violates this subsection is guilty of a class C felony.

(4) No civil or criminal liability shall be imposed by virtue of this chapter on any person registered under the Uniform Controlled Substances Act pursuant to RCW 69.50.301 or 69.50.303 who manufactures, distributes, or possesses an imitation controlled substance for use as a placebo or other use by a registered practitioner, as defined in RCW 69.50.101(t), in the course of professional practice or research.

(5) This chapter shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401(c).

(6) No prosecution under this chapter shall be dismissed solely by reason of the fact that the dosage units were contained in a bottle or other container with a label accurately describing the ingredients of the imitation controlled substance dosage units. The good faith of the defendant shall be an issue of fact for the trier of fact.

NEW SECTION. Sec. 5. Imitation controlled substances shall be subject to seizure, forfeiture, and disposition in the same manner as are controlled substances under RCW 69.50.505.

NEW SECTION. Sec. 6. The attorney general is authorized to apply for injunctive action against a manufacturer or distributor of imitation controlled substances in this state.

NEW SECTION. Sec. 7. Any manufacturer of controlled substances licensed or registered in a state requiring such licensure or registration, may bring injunctive or other action against a manufacturer or distributor of imitation controlled substances in this state.

NEW SECTION. Sec. 8. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Sections 2 through 8 of this act shall constitute a new chapter in Title 69 RCW.

NEW SECTION. Sec. 10. This act shall take effect on July 1, 1982."

In line 1 of the title, after "substances;" strike the remainder of the title, and insert "reenacting and amending section 69.50.505, chapter 308, Laws of 1971 ex. sess. as last amended by section 3, chapter 48,

Laws of 1981 and by section 32, chapter 67, Laws of 1981 and RCW 69.50.505; adding a new chapter to Title 69 RCW; prescribing penalties; and providing an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Tilly, the House concurred in the Senate amendments to Substitute House Bill No. 15.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 15 as amended by the Senate.

ROLL CALL

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

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinchart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

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

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 40** with the following amendments:

On page 1, line 5 beginning with "Section" strike all of the material down to and including "requires." on page 6, line 32 and insert the following:

"NEW SECTION. Section 1. There is added to chapter 42.17 RCW a new section to read as follows:

(1) During the period between the effective date of this 1982 act, and January 1, 1986, the reporting provisions of this chapter are suspended as they pertain to candidates, elected officials, and agencies in jurisdictions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction. The suspension also applies to political committees formed to support or oppose ballot propositions in such jurisdictions, and to persons making independent expenditures in support of or opposition to such ballot propositions.

(2) The suspension shall not apply in any jurisdiction from which a 'petition for disclosure' containing the valid signatures of five percent of the number of registered voters, as of the date of the most recent general election in the jurisdiction, is filed with the commission. The commission shall by rule prescribe the form of the petition. After the signatures are gathered, the petition shall be presented to the auditor or elections officer of the county, or counties, in which the jurisdiction is located. The auditor or elections officer shall verify the signatures and certify to the commission that the petition contains no less than the required number of valid signatures. The commission, upon receipt of a valid petition, shall order every incumbent elected official and candidate in the jurisdiction to file the required statement and reports within thirty days of the date of the order.

(3) The suspension shall not apply in any jurisdiction which by ordinance, resolution, or other official action has petitioned the commission to void the suspension with respect to elected officials and candidates of the jurisdiction. A copy of the action shall be sent to the commission. If the commission finds the petition to be a valid action of the appropriate governing body or authority, the commission shall issue an order voiding the suspension for that jurisdiction. The commission, upon approval of the action, shall order every incumbent elected official and candidate in the jurisdiction to file the required statement and reports within thirty days of the date of the order.

(4) Any person exempted from reporting by the suspension under this section may at his or her option file the statement and reports.

Sec. 2. Section 6, chapter 6, Laws of 1947 and RCW 68.16.060 are each amended to read as follows:

The board of county commissioners shall have full authority to hear and determine the petition, and if it finds that the formation of the district will be conducive to the public welfare and convenience, it shall by

resolution so declare, otherwise it shall deny the petition. If the board finds in favor of the formation of the district, it shall designate the name and number of the district, fix the boundaries thereof, and cause an election to be held therein for the purpose of determining whether or not the district shall be organized under the provisions of this chapter, and for the purpose of electing its first cemetery district commissioners. The board shall, prior to calling the said election, name three registered resident electors who are property owners or are purchasing property under contract within the boundaries of the district as candidates for election as cemetery district commissioners. These electors are exempt from the requirements of chapter 42.17 RCW.

Sec. 3. Section 14, chapter 6, Laws of 1947 as amended by section 40, chapter 126, Laws of 1979 ex. sess. and RCW 68.16.140 are each amended to read as follows:

The affairs of the district shall be managed by a board of cemetery district commissioners composed of three qualified electors of the district. Members of the board shall receive no compensation for their services, but shall receive expenses necessarily incurred in attending meetings of the board or when otherwise engaged in district business. The board shall fix the compensation to be paid the secretary and other employees of the district. The first three cemetery district commissioners shall serve only until the first day in January following the next general election, provided such election occurs thirty or more days after the formation of the district, and until their successors have been elected and qualified and have assumed office in accordance with RCW 29.04.170. At the next general district election, as provided in RCW 29.13.020, provided it occurs thirty or more days after the formation of the district, three members of the board of cemetery commissioners shall be chosen. They and all subsequently elected cemetery commissioners shall have the same qualifications as required of the first three cemetery commissioners and are exempt from the requirements of chapter 42.17 RCW. The candidate receiving the highest number of votes shall serve for a term of six years beginning on the first day in January following; the candidate receiving the next higher number of votes shall serve for a term of four years from said date; and the candidate receiving the next higher number of votes shall serve for a term of two years from said date. Upon the expiration of their respective terms, all cemetery commissioners shall be elected for terms of six years to begin on the first day in January next succeeding the day of election and shall serve until their successors have been elected and qualified and assume office in accordance with RCW 29.04.170. Elections shall be called, noticed, conducted and canvassed by the same officials as provided for general county elections. The polling places for a cemetery district election shall be those of the county voting precincts which include any of the territory within the cemetery district, and may be located outside the boundaries of the district, and no such election shall be held irregular or void on that account.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "disclosure;" strike the remainder of the title, and insert "adding a new section to chapter 42.17 RCW; amending section 6, chapter 6, Laws of 1947 and RCW 68.16.060; amending section 14, chapter 6, Laws of 1947 as amended by section 40, chapter 126, Laws of 1979 ex. sess. and RCW 68.16.140; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder Secretary.

MOTION

Mr. Barr moved that the House do concur in the Senate amendments to Substitute House Bill No. 40.

Representatives Barr and Hine spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 40 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 40 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, Granlund, Grimm, Kaiser, King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nisbet, Rinehart, Rust, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Walk, Wang.

Not voting: Representatives Becker, Salatino.

Substitute House Bill No. 40 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 58 with the following amendments:

On page 5, after line 7 insert the following:

*Sec. 4. Section 36.32.020, chapter 4, Laws of 1963 as amended by section 1, chapter 58, Laws of 1970 ex. sess. and RCW 36.32.020 are each amended to read as follows:

The board of county commissioners of each county shall divide their county into three commissioner districts so that each district shall comprise as nearly as possible one-third of the population of the county: PROVIDED, That the territory comprised in any voting precincts of such districts shall remain compact, and shall not be divided by the lines of said districts(~~:- PROVIDED FURTHER, That the foregoing requirement of equal population among commissioner districts may be disregarded, at the discretion of the county commissioners, in the following instances:)~~);

((++)) However, the commissioners of any county composed entirely of islands and with a population of less than thirty-five thousand may divide their county into three commissioner districts without regard to population, except that if any single island is included in more than one district, the districts on such island shall comprise, as nearly as possible, equal populations(;

(2) ~~The commissioners of any county having a population of fifteen thousand inhabitants or less, in which no totally intracounty highway connection exists between the county seat and a major geographic area of the county, may disregard population in the formation of commissioner districts to the extent that one commissioner district encompassing the unconnected portion of the county may be established without regard to its population).~~

The lines of the districts shall not be changed oftener than once in four years and only when a full board of commissioners is present. The districts shall be designated as districts numbered one, two and three.

Sec. 5. Section 36.32.040, chapter 4, Laws of 1963 and RCW 36.32.040 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the qualified electors of each county commissioner district, and they only, shall nominate from among their own number, candidates for the office of county commissioner of such commissioner district to be voted for at the following general election. Such candidates shall be nominated in the same manner as candidates for other county and district offices are nominated in all other respects.

(2) Where the commissioners of a county composed entirely of islands with a population of less than thirty-five thousand have chosen to divide the county into unequal-sized commissioner districts pursuant to the exception provided in RCW 36.32.020, the qualified electors of the entire county shall nominate from among their own number who reside within a commissioner district, candidates for the office of county commissioner of such commissioner district to be voted for at the following general election. Such candidates shall be nominated in the same manner as candidates for other county offices are nominated in all other respects.

Renumber the section following consecutively.

On page 5, line 9, strike "1981" and insert "1982"

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

*Sec. 4. Section 1, chapter 25, Laws of 1980 and RCW 35.82.300 are each amended to read as follows:

This section applies to all counties.

(1) Joint city-county housing authorities are hereby authorized when the legislative authority of the county and the legislative authority of any city or cities within the county have authorized such joint city-county housing authorities by ordinance.

(2) ((The ordinance enacted by the legislative authorities creating the joint housing authority shall prescribe the number of commissioners, the method for their appointment and length of their terms, the election of officers, and the method for removal of commissioners)) When the legislative authorities adopt an ordinance as provided in subsection (1) of this section, the mayor, or mayors, involved and the county legislative authority shall appoint five persons as commissioners of the joint city-county housing authority created. The commissioners who are first appointed shall be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed for a term of office of five years, except that all vacancies shall be filled for the unexpired term: PROVIDED, That in the event existing city and/or county housing authorities are merged into the newly created joint city-county housing authority, the existing members of the respective boards of commissioners shall be appointed as members of the board of commissioners of the newly created city-county housing authority, except that where the aggregate number of existing commissioners exceeds five, those five commissioners having the greatest length of service shall serve as commissioners of the joint city-county housing authority.

(3) No commissioner of an authority may be an officer or employee of the city or county for which the authority is created. Commissioners shall hold office until a successor has been appointed and has qualified, unless sooner removed according to this chapter. A certificate of the appointment or reappointment of any

commissioner shall be filed with both the city and county clerks, and the certificate shall be conclusive evidence of the due and proper appointment of the commissioner. Commissioners shall receive no compensation for their services for the authority, in any capacity, but are entitled to the necessary expenses, including traveling expenses, incurred in the discharge of their duties.

(4) The powers of each authority shall be vested in the commissioners thereof in office from time to time. Three commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the commissioners present, unless in any case the bylaws of the authority shall require a larger number. The mayor or mayors involved and the county legislative authority shall designate which of the commissioners appointed shall be the first chairman and he shall serve in the capacity of chairman until the expiration of his term of office as commissioner. When the office of the chairman of the authority thereafter becomes vacant, the authority shall select a chairman from among its commissioners. An authority shall select from among its commissioners a vice chairman, and it may employ a secretary (who shall be executive director), technical experts, and such other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation. For such legal services as it may require, an authority may call upon the chief law officer of the city or the county or may employ its own counsel and legal staff. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

(5) The ordinances enacted by the legislative authorities creating the joint housing authority shall prescribe the allocation of all costs of the joint housing authority (~~and any other matters necessary for the operation of the joint housing authority~~).

~~((4))~~ (6) A joint city-county housing authority shall have all the powers as prescribed by this chapter for any housing authority. The area of operation of a joint city-county authority shall be the combined areas of each as they are defined by RCW 35.82.020(6).

~~((5))~~ (7) The provisions of RCW 35.82.040 (~~and 35.82.060~~) as now or hereafter amended shall not apply to a joint city-county housing authority created pursuant to this section.

Sec. 5. Section 35.82.060, chapter 7, Laws of 1965 and RCW 35.82.060 are each amended to read as follows:

For inefficiency or neglect of duty or misconduct in office, a commissioner of ~~(an)~~ a city housing authority may be removed by the mayor ~~((for in the case of an authority for a county, by the governing body of said county), but a)~~, a commissioner of a county housing authority may be removed by the county legislative authority, and a commissioner of a joint city-county housing authority may be removed by concurrence of the mayor, or mayors, involved and the county legislative authority. A commissioner shall be removed only after ~~(he shall have been given)~~ receiving a copy of the charges at least ten days prior to the hearing thereon and ~~(had)~~ having an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the respective city or county clerk, and if a joint city-county housing authority commissioner is involved it shall be filed with both the city and county clerks.

Renumber the sections consecutively.

In line 1 of the title, after "government," insert "amending section 36.32.020, chapter 4, Laws of 1963 as amended by section 1, chapter 58, Laws of 1970 ex. sess. and RCW 36.32.020; amending section 36.32.040, chapter 4, Laws of 1963 and RCW 36.32.040;"

On page 1, on line 6 of the title, after "36.32.120;" insert "amending section 1, chapter 25, Laws of 1980 and RCW 35.82.300; amending section 35.82.060, chapter 7, Laws of 1965 and RCW 35.82.060;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Isaacson moved that the House do concur in the Senate amendments to Substitute House Bill No. 58.

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

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 58 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 58 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden,

Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 58 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 378 with the following amendments:

On page 4, line 32 after "instruction" insert "approved by the examining committee"

On page 5, beginning on line 7 after "who" strike all material down to and including "training," on line 9 and insert "holds a degree in education from an accredited post-secondary institution shall"

On page 13, beginning on line 6 after "as" strike all material down to and including "be" on line 7 and insert "~~(committee secretary. The secretary shall be)~~"

On page 14, line 17 strike "other" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Second Substitute House Bill No. 378.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 378 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 378 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Cole, Garrett, King R., Pruitt.

Not voting: Representative Salatino.

Second Substitute House Bill No. 378 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 381 with the following amendments:

On page 4, line 13 after "institution" strike "nor" and insert "Confinement"

On page 4, line 15, after "chapter" insert "is permitted for no more than seven days" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Tilly, the House concurred in the Senate amendments to Engrossed House Bill No. 381.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 381 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 381 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kroidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Teutsch.

Not voting: Representative Salatino.

Engrossed House Bill No. 381 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 419 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 7, chapter 137, Laws of 1974 ex. sess. as amended by section 4, chapter 200, Laws of 1975 1st ex. sess. and RCW 76.09.070 are each amended to read as follows:

After the completion of a logging operation, satisfactory reforestation as defined by the rules and regulations promulgated by the board shall be completed within three years: PROVIDED, That a longer period may be authorized if seed or seedlings are not available: PROVIDED FURTHER, That a period of up to five years may be allowed where a natural regeneration plan is approved by the department. Upon the completion of a reforestation operation a report on such operation shall be filed with the department of natural resources. Within twelve months of receipt of such a report the department shall inspect the reforestation operation, and shall determine either that the reforestation operation has been properly completed or that further reforestation and inspection is necessary.

Satisfactory reforestation is the obligation of the owner of the land as defined by forest practices regulations, except the owner of perpetual rights to cut timber owned separately from the land is responsible for satisfactory reforestation. The reforestation obligation shall become the obligation of a new owner if the land or perpetual timber rights are sold or otherwise transferred.

Prior to the sale or transfer of land or perpetual timber rights subject to a reforestation obligation, the seller shall notify the buyer of the existence and nature of the obligation and the buyer shall sign a notice of reforestation obligation indicating the buyer's knowledge thereof. The notice shall be on a form prepared by the department and shall be sent to the department by the seller at the time of sale or transfer of the land or perpetual timber rights. If the seller fails to notify the buyer about the reforestation obligation, the seller shall pay the buyer's costs related to reforestation, including all legal costs which include reasonable attorneys' fees, incurred by the buyer in enforcing the reforestation obligation against the seller. Failure by the seller to send the required notice to the department at the time of sale shall be prima facie evidence, in an action by the buyer against the seller for costs related to reforestation, that the seller did not notify the buyer of the reforestation obligation prior to sale.

The forest practices regulations may provide alternatives to or limitations on the applicability of reforestation requirements with respect to forest lands being converted in whole or in part to another use which is compatible with timber growing. The forest practices regulations may identify classifications and/or areas of forest land that have the likelihood of future conversion to urban development within a ten year period. The reforestation requirements may be modified or eliminated on such lands: PROVIDED, That such identification and/or such conversion to urban development must be consistent with any local or regional land use plans or ordinances.

NEW SECTION. Sec. 2. This act shall take effect July 1, 1982.

On page 1, line 1 of the title after "reforestation;" strike the remainder of the title and insert "amending section 7, chapter 137, Laws of 1974 ex. sess. as amended by section 4, chapter 200, Laws of 1975 1st ex. sess. and RCW 76.09.070; and providing an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rosbach, the House concurred in the Senate amendments to Substitute House Bill No. 419.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 419 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 419 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greeno, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kridler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 419 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 452** with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 315, Laws of 1981 and RCW 47.26.120 are each amended to read as follows:

(1) There is hereby created an urban arterial board of thirteen members, six of whom shall be county members, six of whom shall be city members. The chairman shall be the state aid engineer for the department of transportation.

(2) Of the county members of the board, one member shall be a county engineer from a county of the first class or larger; one member shall be a county engineer from a county of the second class or smaller; one member shall be an engineer occupying the position of county road administration engineer, created by RCW 36.78.060; one member shall be the chairman of the county road administration board created by RCW 36.78.030; one member shall be a county executive, council member, or commissioner from a county of the first class or larger; one member shall be a county executive, council member, or commissioner from a county of the second class or smaller. All county members of the board, except the county road administration engineer and the chairman of the county road administration board, shall be appointed. Not more than one county member of the board shall be from one county. For the purposes of this subsection, the term county engineer shall mean the director of public works in any county in which such a position exists.

(3) Of the city members of the board two shall be chief city engineers of cities over twenty thousand population; one shall be a chief city engineer of a city of less than twenty thousand population; two shall be mayors, commissioners, or city council members of cities of more than twenty thousand population; and one shall be a mayor, commissioner, or council member of a city of less than twenty thousand population. All of the city members shall be appointed. Not more than one city member of the board shall be from one city. For the purposes of this subsection the term chief city engineer shall mean the director of public works in any city in which such a position exists.

(4) ~~((Prior to July 1, 1967, the transportation commission shall appoint the first appointive county members of the board. Two members to serve two years and two members to serve four years from July 1, 1967.~~

~~(5) Prior to July 1, 1967, the transportation commission shall appoint the first city members of the board. Three members to serve two years and three members to serve four years from July 1, 1967.~~

~~(6) Upon expiration of the original terms subsequent))~~ Appointments shall be made by the ~~((same appointing authority))~~ secretary of transportation for four year terms except in the case of a vacancy, in which event the appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred. A vacancy shall be deemed to have occurred on the board when any member elected to public office completes his term of office or is removed therefrom for any reason or when any member employed by a political subdivision terminates such employment for whatsoever reason.

((#7)) (5) Before appointing any member to the urban arterial board, the secretary of transportation ((commission)) shall request from the executive committee of the Washington state association of counties, in the case of a county member appointment, and from the executive committee of the association of Washington cities, in the case of a city member appointment, recommendations of at least two eligible persons for each appointment to be made. The ((commission)) secretary of transportation shall give due consideration to the recommendations submitted to ((#)) him.

((#8)) (6) Any member of the board, including the chairman, may designate an official representative to serve on the board in his place with the same authority as the member, subject to the conditions and under the circumstances set forth in rules adopted by the board."

On page 1, line 1 of the title, after "arterials;" strike the remainder of the title and insert "and amending section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 315, Laws of 1981 and RCW 47.26.120."
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wilson, the House concurred in the Senate amendments to Substitute House Bill No. 452.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 452 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 452 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 452 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 593 with the following amendment:

On page 6, line 11 after "January 1," strike "1982" and insert "1983"
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendment to Substitute House Bill No. 593.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 593 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 593 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kridler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Fancher.

Not voting: Representative Salatino.

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

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 621 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 9.08 RCW a new section to read as follows:

Any person who, with intent to deprive or defraud the owner thereof, does any of the following shall be guilty of a gross misdemeanor:

(1) Takes, leads away, confines, secretes or converts any dog, except in cases in which the value of the dog exceeds two hundred fifty dollars;

(2) Conceals the identity of any dog or its owner by obscuring or removing from the dog any collar, tag, license, tattoo, or other identifying device or mark; or

(3) Wilfully kills or injures any dog, unless excused by law.

Such violations shall be punished by imprisonment in the county jail for not more than one year or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

Sec. 2. Section 2, chapter 146, Laws of 1901 and RCW 16.52.030 are each amended to read as follows:

All members and agents, and all officers of any society so incorporated, as shall by the trustees of such society be duly authorized in writing, approved by any judge of the superior court of the county, and sworn in the same manner as are constables and peace officers, shall have power lawfully to interfere to prevent the perpetration of any act of cruelty upon any animal and may use such force as may be necessary to prevent the same, and to that end may summon to their aid any bystander; they may make arrests for the violation of any of the provisions of RCW 16.52.010 through 16.52.050, 16.52.070 through 16.52.090 and 16.52.100 through 16.52.180 in the same manner as herein provided for other officers; and may carry the same weapons that such officers are authorized to carry. Authorizations under this section shall be for a period not exceeding three years or termination of duties, whichever occurs first. The trustees of the society shall review the authorizations every three years and may revoke authorizations at any time by filing a certified revocation with the superior court from which the authorization was issued: PROVIDED, That all such members and agents shall, when making ((such)) arrests under this section, exhibit and expose a suitable badge to be adopted by such society. All persons resisting such specially authorized, approved and sworn officers, agents or members shall be guilty of a misdemeanor.

Sec. 3. Section 8, chapter 27, Laws of 1893 and RCW 16.52.065 are each amended to read as follows:

Whosoever shall wantonly or cruelly pluck, maim, torture, deprive of necessary food or drink, or wantonly kill any fowl or insectivorous bird, shall be deemed guilty of a misdemeanor (~~(, and on conviction thereof shall be fined in any sum not exceeding twenty dollars)~~).

Sec. 4. Section 4, chapter 146, Laws of 1901 as amended by section 4, chapter 145, Laws of 1979 and RCW 16.52.070 are each amended to read as follows:

Except as provided in RCW 9A.48.080, every person who cruelly overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or cruelly kills, or causes, procures, authorizes, requests or encourages so to be overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten or mutilated or cruelly killed, any animal; and whoever having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary suffering or pain upon the same, or unnecessarily fails to provide the same with the proper food, drink, air, light, space, shelter or protection from the weather, or who wilfully and unreasonably drives the same when unfit for labor or with yoke or harness that chafes or galls it, or check rein or any part of its harness too tight for its comfort, or at night when it has been six consecutive hours without a full meal, or who cruelly abandons any animal, shall be guilty of a misdemeanor. For the purposes of this section, necessary sustenance or proper food means the provision at suitable intervals, not to exceed twenty-four hours, of wholesome foodstuff suitable for the species and age of the animal and sufficient to provide a reasonable level of nutrition for the animal.

Sec. 5. Section 5, chapter 146, Laws of 1901 as amended by section 1, chapter 12, Laws of 1974 ex. sess. and RCW 16.52.080 are each amended to read as follows:

Any person who wilfully transports or confines or causes to be transported or confined any domestic animal or animals in a (~~cruel or unnecessarily painful~~) manner, posture or confinement that will jeopardize the safety of the animal or the public shall be guilty of a misdemeanor. And whenever any such person shall be taken into custody or be subject to arrest pursuant to a valid warrant therefor by any officer or authorized person, such officer or person may take charge of the animal or animals; and any necessary expense thereof shall be a lien thereon to be paid before the animal or animals may be recovered; and if the expense is not paid, it may be recovered from the owner of the animal or the person guilty.

Sec. 6. Section 12, chapter 146, Laws of 1901 and RCW 16.52.100 are each amended to read as follows:

Any person who shall impound or confine or cause to be impounded or confined any domestic animal, shall supply the same during such confinement with a sufficient quantity of good and wholesome food and water, and in default thereof shall be guilty of a misdemeanor. In case any domestic animal shall be impounded or confined as aforesaid and shall continue to be without necessary food and water for more than twenty-four consecutive hours, it shall be lawful for any person, from time to time, as it shall be deemed necessary to enter into and open any pound or place of confinement in which any domestic animal shall be confined, and supply it with necessary food and water so long as it shall be confined. Such person shall not be liable to action for such entry, and the reasonable cost of such food and water may be collected by him of the owner of such animal, and the said animal shall be subject to attachment therefor and shall not be exempt from levy and sale upon execution issued upon a judgment therefor. If an investigating officer finds it extremely difficult to supply such animals with food and water, the officer may remove the animals to protective custody for that purpose.

Sec. 7. Section 16, chapter 146, Laws of 1901 and RCW 16.52.165 are each amended to read as follows:

Every person convicted of any misdemeanor under RCW (~~(+6.52.010 through +6.52.050, +6.52.070 through) 16.52.080 or 16.52.090 ((and +6.52.100 through 16.52.180;))~~) shall be punished by a fine of not exceeding one hundred and fifty dollars, or by imprisonment in the county jail not exceeding sixty days, or both such fine and imprisonment, and shall pay the costs of the prosecution.

NEW SECTION. Sec. 8. Any person who for amusement or gain causes any bull, bear, or other animal except a dog to fight with an animal of like kind, or causes any such animal, including dogs, to fight with a different kind of animal; or who for amusement or gain injures any bull, bear, dog, or other animal, or causes any bull, bear, or other animal except a dog to worry or injure another such animal; and any person who permits any of these acts to be done on any premises under his charge or control or who aids, abets, or is present at such fighting, chasing, or worrying of such animal is guilty of a misdemeanor.

NEW SECTION. Sec. 9. (1) Any person who does any of the following is guilty of a gross misdemeanor punishable by imprisonment not to exceed one year, or by a fine not to exceed five thousand dollars, or by both fine and imprisonment:

(a) Owns, possesses, keeps, or trains any dog with the intent that the dog shall be engaged in an exhibition of fighting with another dog;

(b) For amusement or gain causes any dog to fight with another dog, or causes any dogs to injure each other; or

(c) Permits any act in violation of (a) or (b) of this subsection to be done on any premises under his charge or control, or aids or abets any such act.

(2) Any person who is knowingly present, as a spectator, at any place or building where preparations are being made for an exhibition of the fighting of dogs, with the intent to be present at such preparations, or is knowingly present at such exhibition or at any other fighting or injuring as described in subsection (1)(b) of this section, with the intent to be present at such exhibition, fighting, or injuring, is guilty of a misdemeanor.

(3) Nothing in this section may prohibit the following:

(a) The use of dogs in the management of livestock, as defined by chapter 16.57 RCW, by the owner of the livestock or the owner's employees or agents or other persons in lawful custody of the livestock;

(b) The use of dogs in hunting as permitted by law; or

(c) The training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law.

NEW SECTION. Sec. 10. Nothing in this chapter applies to accepted husbandry practices used in the commercial raising or slaughtering of livestock or poultry, or products thereof or to the use of animals in the normal and usual course of rodeo events.

Sec. 11. Section 7, chapter 146, Laws of 1901 and RCW 16.52.120 are each amended to read as follows:

Every person who wantonly or for the amusement of himself or others, or for gain, shall cause any (~~(bull, bear,))~~ cock (~~(-dog, or other animal))~~ to fight, chase, worry or injure any other animal, or to be fought, chased, worried or injured by any (~~(man))~~ person or animal, and every person who shall permit the same to be done on any premises under his charge or control; and every person who shall aid, abet, or be present at such fighting, chasing, worrying or injuring of such animal as a spectator, shall be guilty of a misdemeanor.

Sec. 12. Section 8, chapter 146, Laws of 1901 and RCW 16.52.130 are each amended to read as follows:

Every person who owns, possesses, keeps, or trains any bird (~~(or other animal)~~) with the intent that such bird (~~(or other animal)~~) shall be engaged in an exhibition of fighting, or is present at any place, building or tenement, where training is being had or preparations are being made for the fighting of birds (~~(or other animals)~~), with the intent to be present at such exhibition, or is present at such exhibition, shall be guilty of a misdemeanor.

NEW SECTION. Sec. 13. Sections 8, 9, and 10 of this act are added to chapter 16.52 RCW.

NEW SECTION. Sec. 14. Section 1, chapter 114, Laws of 1972 ex. sess. and RCW 9.08.060 are each repealed."

On page 1, line 1 of the title, after "animals;" strike the remainder of the title and insert "amending section 2, chapter 146, Laws of 1901 and RCW 16.52.030; amending section 8, chapter 27, Laws of 1893 and RCW 16.52.065; amending section 4, chapter 146, Laws of 1901 as amended by section 4, chapter 145, Laws of 1979 and RCW 16.52.070; amending section 5, chapter 146, Laws of 1901 as amended by section 1, chapter 12, Laws of 1974 ex. sess. and RCW 16.52.080; amending section 12, chapter 146, Laws of 1901 and RCW 16.52.100; amending section 7, chapter 146, Laws of 1901 and RCW 16.52.120; amending section 8, chapter 146, Laws of 1901 and RCW 16.52.130; amending section 16, chapter 146, Laws of 1901 and RCW 16.52.165; adding a new section to chapter 9.08 RCW; adding new sections to chapter 16.52 RCW; repealing section 1, chapter 114, Laws of 1972 ex. sess. and RCW 9.08.060; and providing penalties." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Smith, the House concurred in the Senate amendments to Engrossed House Bill No. 621.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 621 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 621 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleén, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Engrossed House Bill No. 621 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 728 with the following amendments:

On page 1, beginning on line 24 after "(SRPA))" strike all material down to and including "organization" on line 25 and insert "a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised."

On page 6, line 10, after "exist." insert a new subsection as follows:

"(33) 'Professionally designated real estate appraiser' means an individual who is regularly engaged in the business of providing real estate valuation services for a fee, and who is deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examinations on valuation practice and theory, and who by virtue of membership in such organization is required to subscribe and adhere to certain standards of professional practice as such organization prescribes."

Remember the remaining subsections consecutively.

On page 8, line 1 after "S-R-E-A:))" strike all material down to and including "organization" on line 2 and insert "a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendments to Engrossed House Bill No. 728.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 728 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 728 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Salatino.

Engrossed House Bill No. 728 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 745 with the following amendment:

On page 1, line 16 after "be" strike all of the material down to and including "both" on line 17 and insert "guilty of a class C felony"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendment to Engrossed House Bill No. 745.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 745 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 745 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Engrossed House Bill No. 745 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 762 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 2.10 RCW a new section to read as follows:

The Washington judicial retirement board established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the director of retirement systems.

Sec. 2. Section 7, chapter 149, Laws of 1979 and RCW 28A.41.412 are each amended to read as follows:

The remediation program provided for in RCW 28A.41.400 through 28A.41.410 shall constitute an integral portion of the state urban, rural, racial and disadvantaged program provided for in RCW 28A.41.250 through 28A.41.290, but shall not be subject to the provisions of RCW (~~28A.41.260 through~~) 28A.41.270 and 28A.41.280.

Sec. 3. Section 28B.20.402, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.402 are each amended to read as follows:

The management and control of such institute shall be vested in a director appointed by the board of regents of the University of Washington (~~and an advisory board of not more than seven members to be appointed by the president of the university from the faculty thereof~~).

Sec. 4. Section 28B.20.412, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 62, Laws of 1973 and RCW 28B.20.412 are each amended to read as follows:

The center shall be administered by the board of regents of the University of Washington (~~with the assistance of a nonsalaried advisory committee consisting of the dean of the school of medicine of the University of Washington; the assistant secretaries for the divisions of health services, social services, service delivery, and vocational rehabilitation services of the department of social and health services; the superintendent of public instruction; and three other members approved by the president of the University of Washington~~).

NEW SECTION. Sec. 5. There is added to chapter 41.26 RCW a new section to read as follows:

The Washington law enforcement officers' and fire fighters' retirement board established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the director of retirement systems.

Sec. 6. Section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 27, chapter 3, Laws of 1981 and RCW 41.26.060 are each amended to read as follows:

The administration of this system is hereby vested in the (~~board of the Washington public employees'~~) director of retirement systems (pursuant to RCW 41.26.050), and the (~~board~~) director shall:

(1) Keep in convenient form such data as shall be deemed necessary for actuarial evaluation purposes;

(2) As of March 1, 1970, and at least every two years thereafter, through its actuary, make an actuarial valuation as to the mortality and service experience of the beneficiaries under this chapter and the various accounts created for the purpose of showing the financial status of the retirement fund;

(3) Adopt for the retirement system the mortality tables and such other tables as shall be deemed necessary;

(4) Keep a record of all its proceedings, which shall be open to inspection by the public;

(5) From time to time adopt such rules and regulations not inconsistent with this chapter, for the administration of the provisions of this chapter, for the administration of the fund created by this chapter and the several accounts thereof, and for the transaction of the business of the (~~board~~) system;

(6) Prepare and publish annually a financial statement showing the condition of the fund and the various accounts thereof, and setting forth such other facts, recommendations and data as may be of use in the advancement of knowledge concerning the Washington law enforcement officers' and fire fighters' retirement system, and furnish a copy thereof to each employer, and to such members as may request copies thereof;

(7) (~~Serve without compensation but shall be reimbursed for expense incident to service as individual members thereof;~~

(~~8~~) Perform such other functions as are required for the execution of the provisions of this chapter;

(~~9~~) No member of the board shall be liable for the negligence, default or failure of any employee or of any other member of the board to perform the duties of his office and no member of the board shall be considered or held to be an insurer of the funds or assets of the retirement system but shall be liable only for his own personal default or individual failure to perform his duties as such member and to exercise reasonable diligence in providing for the safeguarding of the funds and assets of the system;

(~~10~~) (8) Fix the amount of interest to be credited at a rate which shall be based upon the net annual earnings of the fund for the preceding twelve-month period and from time to time make any necessary changes in such rate;

(~~11~~) (9) Pay from the department of retirement systems expense fund the expenses incurred in administration of the retirement system from those funds appropriated for that purpose;

~~((12))~~ (10) Perform any other duties prescribed elsewhere in this chapter ~~(-PROVIDED, That all disability claims shall be submitted and approved or disapproved by the disability boards established by this chapter and the retirement board shall have authority to approve or disapprove disability retirement requests only);~~

~~((13))~~ (11) Issue decisions relating to appeals initiated pursuant to RCW 41.16.145 and 41.18.104 as now or hereafter amended and shall be authorized to order increased benefits pursuant to RCW 41.16.145 and 41.18.104 as now or hereafter amended.

NEW SECTION. Sec. 7. There is added to chapter 41.32 RCW a new section to read as follows:

The retirement board (or board of trustees) established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the director of retirement systems.

NEW SECTION. Sec. 8. There is added to chapter 41.40 RCW a new section to read as follows:

The retirement board established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the director of retirement systems.

NEW SECTION. Sec. 9. There is added to chapter 41.50 RCW a new section to read as follows:

(1) The director shall assume all powers, duties, and functions of the retirement boards abolished by sections 1, 5, 7, 8, and 17 of this act except as otherwise assigned in this section.

(2) There is hereby created a state advisory committee to the department of retirement systems which shall serve in an advisory capacity to the director of retirement systems. The committee shall consist of twelve members appointed by the governor as provided in this section:

(a) Three active members and one retired member of the public employees' retirement system;

(b) Two active members, one a law enforcement officer and the other a fire fighter, and one retired fire fighter, of the law enforcement officers' and fire fighters' retirement system;

(c) Two active members, one a teacher and the other an administrator, and one retired member of the teachers' retirement system;

(d) One active member of the state patrol retirement system;

(e) One active member of the judicial retirement system.

The active members appointed under subsections (a), (b), (c), and (d) of this subsection shall be selected from a list of three nominees submitted by each organization representing active members. The retired members appointed under subsections (a), (b), and (c) of this subsection shall be selected from a list of three nominees submitted by each organization representing retired members. The member appointed under subsection (e) of this subsection shall be appointed from a list of three nominees submitted by the state supreme court.

Members shall serve staggered three-year terms as determined by the governor. Members shall serve without compensation but shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The advisory committee shall at its first meeting of each fiscal year elect a chairperson and vice chairperson.

(4) The chairperson shall annually appoint from the committee members a subcommittee for each retirement system covered by this chapter. Each subcommittee shall have one committee member representing the system for which appointed and two other committee members who represent any other system. The subcommittees shall meet upon the call of the director to review all disability appeals cases which have been heard by a hearings examiner. Having considered the report of the hearings examiner and all other legally pertinent material, the subcommittee shall make a recommendation to the director for the disposition of the appeal.

NEW SECTION. Sec. 10. There is added to chapter 43.19 RCW a new section to read as follows:

The automotive policy board established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the department of general administration.

Sec. 11. Section 4, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.570 are each amended to read as follows:

(1) The department shall direct and be responsible for the acquisition, operation, maintenance, storage, repair, and replacement of state motor vehicles under its control. The department shall utilize state facilities available for the maintenance, repair, and storage of such motor vehicles, and may provide directly or by contract for the maintenance, repair, and servicing of all motor vehicles, and other property related thereto and under its control;

(2) The department may arrange, by agreement with agencies, for the utilization by one of the storage, repair, or maintenance facilities of another, with such provision for charges and credits as may be agreed upon. ~~((Any such agreement shall be subject to the approval of the automotive policy board established pursuant to RCW 43.19.580.))~~ The department may acquire and maintain storage, repair, and maintenance facilities for the motor vehicles under its control from such funds as may be appropriated by the legislature.

Sec. 12. Section 10, chapter 167, Laws of 1975 1st ex. sess. as amended by section 102, chapter 151, Laws of 1979 and RCW 43.19.600 are each amended to read as follows:

(1) On or after July 1, 1975, any passenger motor vehicles currently owned or hereafter acquired by any state agency, except vehicles acquired from federal granted funds and over which the federal government retains jurisdiction and control, may be purchased by or transferred to the department of general administration with the consent of the state agency concerned. The director of general administration may accept vehicles subject to the provisions of RCW 43.19.560 through 43.19.630, 43.41.130 and 43.41.140 prior to July 1, 1975, if he deems it expedient to accomplish an orderly transition.

(2) The department, in cooperation with the office of financial management, shall study and ascertain current and prospective needs of state agencies for passenger motor vehicles and shall recommend transfer to a state motor pool or other appropriate disposition of any vehicle found not to be required by a state agency.

(3) The ~~((automotive policy board))~~ department shall direct the transfer of passenger motor vehicles from a state agency to a state motor pool or other disposition as appropriate, based on a study under subsection (2) of this section, or after a public hearing held by the department, if a finding is made based on testimony and data therein submitted that the economy, efficiency, or effectiveness of state government would be improved by such a transfer or other disposition of passenger motor vehicles. Any dispute over the accuracy of testimony and data submitted as to the benefits in state governmental economy, efficiency, and effectiveness to be gained by such transfer shall be resolved by ~~((a majority vote of the automotive policy board established by RCW 43.19.580))~~ the governor or the governor's designee.

Sec. 13. Section 5, chapter 167, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 169, Laws of 1980 and RCW 43.41.130 are each amended to read as follows:

The director of financial management, after consultation with other interested or affected state agencies ~~((and approval of the automotive policy board established pursuant to RCW 43.19.580))~~, shall establish overall policies governing the acquisition, operation, management, maintenance, repair, and disposal of, all passenger motor vehicles owned or operated by any state agency. Such policies shall include but not be limited to a definition of what constitutes authorized use of a state owned or controlled passenger motor vehicle and other motor vehicles on official state business. The definition shall include, but not be limited to, the use of state-owned motor vehicles for commuter ride sharing so long as the entire capital depreciation and operational expense of the commuter ride-sharing arrangement is paid by the commuters. Any use other than such defined use shall be considered as personal use.

Such policies shall also include the widest possible use of gasohol and cost-effective alternative fuels in all motor vehicles owned or operated by any state agency. As used in this section, 'gasohol' means motor vehicle fuel which contains more than nine and one-half percent alcohol by volume.

Sec. 14. Section 2, chapter 169, Laws of 1975 1st ex. sess. as amended by section 128, chapter 158, Laws of 1979 and RCW 46.08.066 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, the department of licensing is authorized to issue confidential motor vehicle license plates to units of local government and to agencies of the federal government for law enforcement purposes only.

(2) Except as provided in subsections (3) and (4) of this section the use of confidential plates on vehicles owned or operated by the state of Washington by any officer or employee thereof, shall be limited to confidential, investigative, or undercover work of state law enforcement agencies, confidential public health work, and confidential public assistance fraud or support investigations.

(3) Any state official elected on a state-wide basis shall be provided on request with one set of confidential plates for use on official business. When necessary for the personal security of any other public officer, or public employee, the chief of the Washington state patrol may recommend that the director issue confidential plates for use on an unmarked publicly owned or controlled vehicle of the appropriate governmental unit for the conduct of official business for the period of time that the personal security of such state official, public officer, or other public employee may require. The office of the state treasurer may use an unmarked state owned or controlled vehicle with confidential plates where required for the safe transportation of either state funds or negotiable securities to or from the office of the state treasurer.

(4) The director of licensing ~~((with the approval of the automotive policy board established pursuant to RCW 43.19.580;))~~ may issue rules and regulations governing applications for, and the use of, such plates by law enforcement and other public agencies. The legislative auditor shall periodically examine or require filing of a current listing of the total number of such plates issued to any law enforcement or other public agency. Reports on the utilization of such plates shall be submitted to the legislative budget committee and to the legislature.

NEW SECTION. Sec. 15. There is added to chapter 43.21E RCW a new section to read as follows:

Notwithstanding RCW 43.21E.900, within thirty days or after the effective date of this 1982 act, the director shall reactivate the grass burning research advisory committee by appointing new members to the committee. The provisions of this chapter, other than RCW 43.21E.900, shall apply to the reactivated committee.

NEW SECTION. Sec. 16. There is added to chapter 43.22 RCW a new section to read as follows:

The industrial welfare committee established by this chapter is abolished. All powers, duties, and functions of the committee are transferred to the director of labor and industries.

NEW SECTION. Sec. 17. The department of commerce and economic development advisory council established by RCW 43.31.090 is abolished.

NEW SECTION. Sec. 18. There is added to chapter 43.43 RCW a new section to read as follows:

The retirement board established by this chapter is abolished. All powers, duties, and functions of the board are transferred to the director of retirement systems.

NEW SECTION. Sec. 19. The youth development and conservation committee established by RCW 43.51.520 is abolished.

NEW SECTION. Sec. 20. The oceanographic commission established by RCW 43.94.020 is abolished.

Sec. 21. Section 20, chapter 87, Laws of 1980 and RCW 43.03.028 are each amended to read as follows:

(1) There is hereby created a state committee on salaries to consist of seven members, or their designees, as follows: The president of the University of Puget Sound; the president of Washington State University; the chairperson of the State Personnel Board; the president of the Association of Washington Business; the president of the Pacific Northwest Personnel Managers' Association; the president of the Washington State Bar Association; and the president of the Washington State Labor Council. If any of the titles or positions mentioned in this subsection are changed or abolished, any person occupying an equivalent or like position shall be qualified for appointment by the governor to membership upon the committee.

(2) The committee shall study the duties and salaries of the directors of the several departments and the members of the several boards and commissions of state government, who are subject to appointment by the governor or whose salaries are fixed by the governor, and of the chief executive officers of the following agencies of state government:

The arts commission; the human rights commission; the board of accountancy; the board of pharmacy; the capitol historical association and museum; the eastern Washington historical society; the Washington state historical society; the interagency committee for outdoor recreation; the criminal justice training commission; (~~the oceanographic commission~~); the department of personnel; the state finance committee; the state library; the traffic safety commission; the horse racing commission; the commission for vocational education; the advisory council on vocational education; the public disclosure commission; the hospital commission; the state conservation commission; the commission on Mexican-American affairs; the commission on Asian-American affairs; the state board for volunteer firemen; the urban arterial board; the data processing authority; the public employees relations commission; the forest practices appeals board; and the energy facilities site evaluation council.

The committee shall report to the governor or the chairperson of the appropriate salary fixing authority at least once in each fiscal biennium on such date as the governor may designate, but not later than seventy-five days prior to the convening of each regular session of the legislature during an odd-numbered year, its recommendations for the salaries to be fixed for each position.

(3) The committee shall also make a study of the duties and salaries of all state elective officials, including members of the supreme, appellate, superior, and district courts and members of the legislature and report to the governor and the president of the senate and the speaker of the house not later than sixty days prior to the convening of each regular session of the legislature during an odd-numbered year its recommendation for the salaries to be established for each position. Copies of the committee report to the governor shall be provided to the appropriate standing committees of the house and senate upon request.

(4) Committee members shall be reimbursed by the department of personnel for travel expenses under RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 22. The technical advisory committee for the Washington Poison Prevention Packaging Act established by RCW 70.106.130 is abolished.

NEW SECTION. Sec. 23. The following acts or parts of acts are each repealed:

- (1) Section 5, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.050;
- (2) Section 6, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.060;
- (3) Section 2, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.260;
- (4) Section 17, chapter 130, Laws of 1943 and RCW 38.12.040;
- (5) Section 18, chapter 130, Laws of 1943 and RCW 38.12.050;
- (6) Section 5, chapter 209, Laws of 1969 ex. sess., section 3, chapter 6, Laws of 1970 ex. sess., section 7, chapter 257, Laws of 1971 ex. sess., section 4, chapter 131, Laws of 1972 ex. sess., section 2, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.050;
- (7) Section 4, chapter 80, Laws of 1947, section 1, chapter 17, Laws of 1975 1st ex. sess. and RCW 41.32.040;
- (8) Section 5, chapter 80, Laws of 1947 and RCW 41.32.050;
- (9) Section 6, chapter 80, Laws of 1947, section 89, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.32.060;
- (10) Section 7, chapter 80, Laws of 1947, section 2, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.070;
- (11) Section 8, chapter 80, Laws of 1947 and RCW 41.32.080;
- (12) Section 9, chapter 80, Laws of 1947 and RCW 41.32.090;
- (13) Section 10, chapter 80, Laws of 1947, section 3, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.100;
- (14) Section 3, chapter 274, Laws of 1947, section 2, chapter 291, Laws of 1961, section 2, chapter 174, Laws of 1963, section 3, chapter 271, Laws of 1971 ex. sess., section 3, chapter 190, Laws of 1973 1st ex. sess., section 1, chapter 195, Laws of 1974 ex. sess., section 1, chapter 34, Laws of 1977 ex. sess. and RCW 41.40.030;
- (15) Section 4, chapter 274, Laws of 1947, section 3, chapter 291, Laws of 1961, section 3, chapter 174, Laws of 1963 and RCW 41.40.040;
- (16) Section 5, chapter 274, Laws of 1947, section 90, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.050;
- (17) Section 6, chapter 274, Laws of 1947, section 3, chapter 240, Laws of 1949, section 4, chapter 174, Laws of 1963 and RCW 41.40.060;
- (18) Section 6, chapter 167, Laws of 1975 1st ex. sess., section 93, chapter 158, Laws of 1979 and RCW 43.19.580;

- (19) Section 43.22.280, chapter 8, Laws of 1965, section 84, chapter 154, Laws of 1973 1st ex. sess., section 4, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.280;
- (20) Section 43.31.090, chapter 8, Laws of 1965, section 1, chapter 292, Laws of 1975 1st ex. sess., section 108, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.090;
- (21) Section 43.31.100, chapter 8, Laws of 1965 and RCW 43.31.100;
- (22) Section 7, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.950;
- (23) Section 8, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.952;
- (24) Section 9, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.954;
- (25) Section 43.43.140, chapter 8, Laws of 1965 and RCW 43.43.140;
- (26) Section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150;
- (27) Section 43.43.160, chapter 8, Laws of 1965 and RCW 43.43.160;
- (28) Section 43.51.520, chapter 8, Laws of 1965, section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520;
- (29) Section 1, chapter 243, Laws of 1967 and RCW 43.94.010;
- (30) Section 2, chapter 243, Laws of 1967 and RCW 43.94.020;
- (31) Section 3, chapter 243, Laws of 1967 and RCW 43.94.030;
- (32) Section 4, chapter 243, Laws of 1967 and RCW 43.94.040;
- (33) Section 5, chapter 243, Laws of 1967 and RCW 43.94.050;
- (34) Section 6, chapter 243, Laws of 1967 and RCW 43.94.900;
- (35) Section 7, chapter 243, Laws of 1967 (uncodified);
- (36) Section 1, chapter 307, Laws of 1955 and RCW 43.96.010 (decodified);
- (37) Section 2, chapter 307, Laws of 1955, section 1, chapter 15, Laws of 1957, section 1, chapter 109, Laws of 1959, section 5, chapter 152, Laws of 1961 and RCW 43.96.020 (decodified);
- (38) Section 3, chapter 307, Laws of 1955, section 2, chapter 15, Laws of 1957 and RCW 43.96.030 (decodified);
- (39) Section 3, chapter 15, Laws of 1957 and RCW 43.96.040 (decodified);
- (40) Section 4, chapter 15, Laws of 1957 and RCW 43.96.050 (decodified);
- (41) Section 2, chapter 109, Laws of 1959 and RCW 43.96.060 (decodified);
- (42) Section 1, chapter 129, Laws of 1961 and RCW 43.96.070 (decodified);
- (43) Section 4, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.040;
- (44) Section 5, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.050;
- (45) Section 7, chapter 3, Laws of 1971 ex. sess. and RCW 43.96B.130;
- (46) Section 1, chapter 315, Laws of 1977 ex. sess. (uncodified);
- (47) Section 2, chapter 315, Laws of 1977 ex. sess. (uncodified);
- (48) Section 3, chapter 315, Laws of 1977 ex. sess. (uncodified);
- (49) Section 41, chapter 99, Laws of 1979 and RCW 43.131.229;
- (50) Section 83, chapter 99, Laws of 1979 and RCW 43.131.230; and
- (51) Section 13, chapter 49, Laws of 1974 ex. sess., section 163, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.106.130.

NEW SECTION. Sec. 24. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 25. This act shall take effect June 30, 1982.*

On page 1, line 1 of the title, after "government"; strike the remainder of the title and insert "amending section 7, chapter 149, Laws of 1979 and RCW 28A.41.412; amending section 28B.20.402, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.402; amending section 28B.20.412, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 62, Laws of 1973 and RCW 28B.20.412; amending section 6, chapter 209, Laws of 1969 ex. sess. as last amended by section 27, chapter 3, Laws of 1981 and RCW 41.26.060; amending section 4, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.570; amending section 10, chapter 167, Laws of 1975 1st ex. sess. as amended by section 102, chapter 151, Laws of 1979 and RCW 43.19.600; amending section 5, chapter 167, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 169, Laws of 1980 and RCW 43.41.130; amending section 2, chapter 169, Laws of 1975 1st ex. sess. as amended by section 128, chapter 158, Laws of 1979 and RCW 46.08.066; amending section 20, chapter 87, Laws of 1980 and RCW 43.03.028; adding a new section to chapter 2.10 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.43 RCW; creating new sections; repealing section 5, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.050; repealing section 6, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.060; repealing section 2, chapter 85, Laws of 1974 ex. sess. and RCW 28A.41.260; repealing section 17, chapter 130, Laws of 1943 and RCW 38.12.040; repealing section 18, chapter 130, Laws of 1943 and RCW 38.12.050; repealing section 5, chapter 209, Laws of 1969 ex. sess., section 3, chapter 6, Laws of 1970 ex. sess., section 7, chapter 257, Laws of 1971 ex. sess., section 4, chapter 131, Laws of 1972 ex. sess., section 2, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.050; repealing section 4, chapter 80, Laws of 1947, section 1, chapter 17, Laws of 1975 1st ex. sess. and RCW 41.32.040; repealing section 5, chapter 80, Laws of 1947 and RCW 41.32.050; repealing section 6, chapter 80, Laws of 1947, section 89, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.32.060; repealing section 7, chapter 80, Laws of 1947, section 2, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.070; repealing section 8, chapter 80, Laws of 1947 and RCW 41.32.080; repealing section 9, chapter 80, Laws of 1947 and

RCW 41.32.090; repealing section 10, chapter 80, Laws of 1947, section 3, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.100; repealing section 3, chapter 274, Laws of 1947, section 2, chapter 291, Laws of 1961, section 2, chapter 174, Laws of 1963, section 3, chapter 271, Laws of 1971 ex. sess., section 3, chapter 190, Laws of 1973 1st ex. sess., section 1, chapter 195, Laws of 1974 ex. sess., section 1, chapter 34, Laws of 1977 ex. sess. and RCW 41.40.030; repealing section 4, chapter 274, Laws of 1947, section 3, chapter 291, Laws of 1961, section 3, chapter 174, Laws of 1963 and RCW 41.40.040; repealing section 5, chapter 274, Laws of 1947, section 90, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 41.40.050; repealing section 6, chapter 274, Laws of 1947, section 3, chapter 240, Laws of 1949, section 4, chapter 174, Laws of 1963 and RCW 41.40.060; repealing section 6, chapter 167, Laws of 1975 1st ex. sess., section 93, chapter 158, Laws of 1979 and RCW 43.19.580; adding a new section to chapter 43.21E RCW; repealing section 43.22-.280, chapter 8, Laws of 1965, section 84, chapter 154, Laws of 1973 1st ex. sess., section 4, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.280; repealing section 43.31.090, chapter 8, Laws of 1965, section 1, chapter 292, Laws of 1975 1st ex. sess., section 108, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.090; repealing section 43.31.100, chapter 8, Laws of 1965 and RCW 43.31.100; repealing section 7, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.950; repealing section 8, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.952; repealing section 9, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.954; repealing section 43.43.140, chapter 8, Laws of 1965 and RCW 43.43.140; repealing section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150; repealing section 43.43.160, chapter 8, Laws of 1965 and RCW 43.43.160; repealing section 43.51.520, chapter 8, Laws of 1965, section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520; repealing section 1, chapter 243, Laws of 1967 and RCW 43.94.040; repealing section 2, chapter 243, Laws of 1967 and RCW 43.94.020; repealing section 3, chapter 243, Laws of 1967 and RCW 43.94.030; repealing section 4, chapter 243, Laws of 1967 and RCW 43.94.040; repealing section 5, chapter 243, Laws of 1967 and RCW 43.94.050; repealing section 6, chapter 243, Laws of 1967 and RCW 43.94.900; repealing section 1, chapter 307, Laws of 1955 and RCW 43.96.010 (decodified); repealing section 2, chapter 307, Laws of 1955, section 1, chapter 15, Laws of 1957, section 1, chapter 109, Laws of 1959, section 5, chapter 152, Laws of 1961 and RCW 43.96.020 (decodified); repealing section 3, chapter 307, Laws of 1955, section 2, chapter 15, Laws of 1957 and RCW 43.96.030 (decodified); repealing section 3, chapter 15, Laws of 1957 and RCW 43.96.040 (decodified); repealing section 4, chapter 15, Laws of 1957 and RCW 43.96.050 (decodified); repealing section 2, chapter 109, Laws of 1959 and RCW 43.96.060 (decodified); repealing section 1, chapter 129, Laws of 1961 and RCW 43.96.070 (decodified); repealing section 4, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.040; repealing section 5, chapter 1, Laws of 1971 ex. sess. and RCW 43.96B.050; repealing section 7, chapter 3, Laws of 1971 ex. sess. and RCW 43.96B.130; repealing section 7, chapter 243, Laws of 1967 (uncodified); repealing section 1, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 2, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 3, chapter 315, Laws of 1977 ex. sess. (uncodified); repealing section 41, chapter 99, Laws of 1979 and RCW 43.131.229; repealing section 83, chapter 99, Laws of 1979 and RCW 43.131.230; repealing section 13, chapter 49, Laws of 1974 ex. sess., section 163, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 70.106.130; and providing an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 762.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 762 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 762 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; nays, 11; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Ehlers, Gallagher, Garrett, King R., Maxie, North, O'Brien, Owen, Sherman, Warnke.

Not voting: Representative Salatino.

Engrossed Substitute House Bill No. 762 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 837 with the following amendments:

On page 3, line 9 after "itself" insert "from documentation submitted by the organizational unit"

On page 4, after line 29 insert the following:

"In addition to the amount awarded, the agency shall transfer two percent of the savings to the department of personnel for deposit in the department of personnel service fund. Moneys so transferred shall be used exclusively for the operations of the productivity board. Any moneys remaining unexpended at the end of the fiscal biennium shall revert to the original fund source."

On page 4, line 32, strike "committee's" and insert "board's"

On page 7, line 1 after "suggestion." insert "In addition to the amount awarded, the agency shall transfer two percent of the savings to the department of personnel for deposit in the department of personnel service fund. Moneys so transferred shall be used exclusively for the operations of the productivity board. Any moneys remaining unexpended at the end of the fiscal biennium shall revert to the original fund source."

On page 7, after line 1 insert the following:

"NEW SECTION. Sec. 10. There is added to chapter 41.60 RCW a new section to read as follows:

Incentive pay or awards provided under this chapter shall not be included for the purpose of computing a retirement allowance under any public retirement system of this state."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 7, line 6 after "chapter" insert "shall not exceed fifty thousand dollars per year and"

On page 7, after line 10 strike all material down through line 22.

On page 7, after line 31 insert the following:

"Sec. 13. Section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, Laws of 1963 and RCW 41.06.280 are each amended to read as follows:

There is hereby created a fund within the state treasury, designated as the 'Department of Personnel Service Fund', to be used by the board as a revolving fund for the payment of salaries, wages and operations required for the administration of the provisions of this chapter and chapter 41.60 RCW. An amount not to exceed one percent of the approved allotments of salaries and wages for all positions in the classified service in each of the agencies subject to this chapter, except the institutions of higher learning and the department of highways, shall be charged to the operations appropriations of each agency and credited to the department of personnel service fund as such allotments are approved pursuant to chapter (~~328, Laws of 1959~~ ~~chapter 43.88 RCW~~)) 43.88 RCW. Subject to the above limitations, such amount shall be charged against the allotments pro rata, at a rate to be fixed by the director from time to time which, together with income derived from services rendered under RCW 41.06.080, will provide the department with funds to meet its anticipated expenditures during the allotment period.

The director of personnel shall fix the terms and charges for services rendered by the department of personnel pursuant to RCW 41.06.080, which amounts shall be credited to the department of personnel service fund and charged against the proper fund or appropriation of the recipient of such services on a quarterly basis; payment for services so rendered under RCW 41.06.080 shall be made on a quarterly basis to the state treasurer and by him deposited in the department of personnel service fund.

Moneys from the department of personnel service fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the board."

Renumber the sections consecutively.

On page 8, line 2 after "41.60.040;" insert the following:

"(2) Section 6, chapter 142, Laws of 1965 ex. sess., section 7, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.060;"

Renumber the remaining subsections consecutively.

On page 8, after line 6 insert the following:

"NEW SECTION. Sec. 14. There is added to chapter 43.131 RCW a new section to read as follows:

Chapter 41.60 RCW as now existing or hereafter amended shall terminate on June 30, 1987."

Renumber the remaining sections consecutively.

On page 8, after line 8 insert the following:

"NEW SECTION. Sec. 15. There is appropriated from the department of personnel service fund to the department of personnel for the fiscal year ending June 30, 1983, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the operations of the productivity board. Funds expended under this section shall not exceed the revenue to the department of personnel service fund under sections 4 and 9 of this act."

Renumber the remaining sections consecutively.

On page 1, line 10 of the title after "41.60.050;" strike all material down to and including "41.60.060" on line 13

On page 1, line 14 of the title after "41.60.080;" insert "amending section 28, chapter 1, Laws of 1961 as amended by section 1, chapter 215, laws of 1963 and RCW 41.06.280;"

On page 1, line 15 of the title after "41.60 RCW;" insert "adding a new section to chapter 43.131 RCW;"

On page 1, line 18 of the title after "41.60.040;" insert "repealing section 6, chapter 142, Laws of 1965 ex. sess., section 7, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.060;"

On page 1, line 20 of the title, after "41.60.070:" insert "providing an expiration date;"

On page 1, line 21 of the title before "decodifying" strike "and" and after "41.60.905" insert ";" and making an appropriation" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendments to Substitute House Bill No. 837.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 837 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 837 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 837 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 874 with the following amendments:

On page 9, line 4 after "hearing" insert "or within sixty days"

On page 15, line 16 after "type of" strike "automatic"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Houchen, the House concurred in the Senate amendments to Substitute House Bill No. 874.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 874 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 874 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser,

King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 874 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

March 4, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 916 with the following amendment:

On page 1, line 11 after "contracts," strike "not in any case, however, to exceed twelve percent per annum" and insert "(not in any case, however, to exceed twelve percent per annum)" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Ellis moved that the House do concur in the Senate amendment to House Bill No. 916.

Representatives Ellis and Owen spoke in favor of the motion, and Mr. Armstrong spoke against it.

Mr. Scott spoke in favor of the motion to concur, and Mr. Armstrong again opposed it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 916 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 916 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; nays, 24; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brown, Cole, Eberle, Ehlers, Gallagher, Garrett, Grimm, Kaiser, King R., Lux, Monohon, North, O'Brien, Pruitt, Rust, Sherman, Sommers, Thompson, Valle, Walk, Warnke.

Not voting: Representative Salatino.

House Bill No. 916 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 923 with the following amendments:

On page 1, line 2 after "date" strike "; and making an appropriation"

On page 5, line 31 strike all of section 9 and renumber the remaining section consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Addison moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 923, and ask the Senate to recede therefrom.

Mr. Addison spoke in favor of the motion, and Ms. Berleen spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur with the Senate amendments and ask the Senate to recede therefrom, and the motion was carried by the following vote: Yeas, 78; nays, 19; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brekke, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Sanders, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Berleen, Brown, Burns, Dickie, Ehlers, Garrett, James, Leonard, McGinnis, Padden, Pruitt, Schmidt, Scott, Sherman, Sprague, Teutsch, Tupper, Williams.

Not voting: Representative Salatino.

SENATE AMENDMENT TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 967 with the following amendment:

On page 1, line 27 after "projects." insert "For the purposes of this section an inmate on minimum security status shall be one who is under confinement for a crime other than murder, robbery, rape, kidnapping, assault, felony sale of a controlled substance, or arson." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Houchen moved that the House do not concur in the Senate amendment to House Bill No. 967 and ask the Senate to recede therefrom.

Representatives Houchen and Scott spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 663 with the following amendments:

On page 2, after line 14 insert the following:

*Sec. 2. Section 2, chapter 122, Laws of 1973 and RCW 29.79.015 are each amended to read as follows:

Upon receipt of any petition proposing an initiative to the people or an initiative to the legislature, and prior to giving a serial number thereto, the secretary of state shall submit a copy thereof to the office of the code reviser and give notice to the petitioner of such transmittal. Upon receipt of the measure, the assistant code reviser to whom it has been assigned may confer with the petitioner and shall within ((ten)) seven working days from receipt thereof review the proposal for matters of form and style, and such matters of substantive import as may be agreeable to the petitioner, and shall recommend to the petitioner such revision or alteration of the measure as may be deemed necessary and appropriate. The recommendations of the reviser's office shall be advisory only, and the petitioner may accept or reject them in whole or in part. The code reviser shall issue a certificate of review certifying that he has reviewed the measure for form and style and that the recommendations thereon, if any, have been communicated to the petitioner, and such certificate shall issue whether or not the petitioner accepts such recommendations. Within fifteen working days after notification of submittal of the petition to the reviser's office, the petitioner, if he desires to proceed with his sponsorship, shall file the measure together with the certificate of review with the secretary of state for assignment of serial number and the secretary of state shall thereupon submit to the reviser's office a certified copy of the measure filed. Upon submitting the proposal to the secretary of state for assignment of a serial number the secretary of state shall refuse to make such assignment unless the proposal is accompanied by a certificate of review.

Sec. 3. Section 29.79.030, chapter 9, Laws of 1965 and RCW 29.79.030 are each amended to read as follows:

The secretary of state shall give a serial number to each initiative or referendum measure, using a separate series for initiatives to the legislature, initiatives to the people, and referendum measures, and forthwith transmit one copy of the measure proposed bearing its serial number to the attorney general. Thereafter a measure shall be known and designated on all petitions, ballots, and proceedings as 'Initiative Measure No.' or 'Referendum Measure No.'

Renumber the sections following consecutively, and correct internal references accordingly.

On page 2, beginning on line 15, strike all of section 2, and insert the following:

"Sec. 2. Section 29.79.040, chapter 9, Laws of 1965 as amended by section 2, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.040 are each amended to read as follows:

Within ~~((ten))~~ seven calendar days after the receipt of an initiative or referendum measure the attorney general shall formulate ~~((therefor))~~ and transmit to the secretary of state a concise statement posed as a question and not to exceed twenty words, bearing the serial number of the measure and a summary of the measure, not to exceed seventy-five words, to follow the statement. The statement may be distinct from the legislative title of the measure, and shall ~~((express, and))~~ give a true and impartial statement of the purpose of the measure ~~((; it shall not be))~~. Neither the statement nor the summary may intentionally be an argument, nor likely to create prejudice, either for or against the measure. Such concise statement shall constitute the ballot title. The ballot title formulated by the attorney general shall be the ballot title of the measure unless changed on appeal. When practicable, the question posed by the ballot title shall be written in such a way that an affirmative answer to such question and an affirmative vote on the measure would result in a change in then current law, and a negative answer to the question and a negative vote on the measure would result in no change to then current law."

On page 3, line 1, strike all of section 3, and renumber the remaining sections consecutively, and correct internal references accordingly.

On page 3, beginning on line 10, strike all material down to and including "petition." on page 5, line 7, and insert the following:

"Sec. 4. Section 29.79.050, chapter 9, Laws of 1965 as amended by section 3, chapter 118; Laws of 1973 1st ex. sess. and RCW 29.79.050 are each amended to read as follows:

Upon the filing of the ballot title and summary for an initiative or referendum measure in his office, the secretary of state shall forthwith notify by telephone and by mail the person(s) proposing the measure ~~((by telephone and by mail))~~ and any other individuals who have made written request for such notification of the exact language ~~((thereof))~~ of the ballot title.

Sec. 5. Section 29.79.060, chapter 9, Laws of 1965 and RCW 29.79.060 are each amended to read as follows:

If ~~((the proposers are))~~ any person is dissatisfied with the ballot title or summary formulated by the attorney general, ~~((they))~~ he or she may ~~((at any time))~~, within ~~((ten))~~ five days from the filing ~~((thereof))~~ of the ballot title in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the measure, the title or summary formulated by the attorney general, and ~~((their))~~ his or her objections ~~((thereto))~~ to the ballot title or summary and ~~((praying for))~~ requesting amendment ~~((thereof))~~ of the title or summary by the court.

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the secretary of state ~~((and))~~, upon the attorney general, and upon the person proposing the measure if the appeal is initiated by someone other than that person. Upon the filing of the petition on appeal ~~((; the court shall forthwith;))~~ or at the time to which the hearing may be adjourned by consent of the appellant ~~((; examine))~~, the court shall accord first priority to examining the proposed measure, the title or summary prepared by the attorney general, and the objections ~~((thereto and))~~ to that title or summary, may hear arguments ~~((thereon))~~, and shall ~~((as soon as possible))~~, within five days, render its decision and ~~((certify to and))~~ file with the secretary of state a certified copy of such ballot title or summary as it determines will meet the requirements of ~~((this chapter))~~ RCW 29.27.060 and 29.79.040. The decision of the superior court shall be final ~~((; and the title so certified shall be the established ballot title))~~. Such appeal shall be heard without costs to either party.

Sec. 6. Section 29.79.070, chapter 9, Laws of 1965 and RCW 29.79.070 are each amended to read as follows:

When the ballot title ~~((has been))~~ and summary are finally established, the secretary of state shall file the instrument establishing it with the proposed measure and transmit a copy thereof by mail to the person(s) proposing the measure and to any other individuals who have made written request for such notification. Thereafter such ballot title shall be the title of the measure in all petitions, ballots, and other proceedings in relation thereto. The summary shall appear on all petitions directly following the ballot title.

Sec. 7. Section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080 are each amended to read as follows:

~~((Upon the ballot title being established;))~~ The person(s) proposing the measure ~~((may prepare))~~ shall print blank petitions ~~((and cause them to be printed))~~ upon single sheets of paper of good writing quality ~~((twelve))~~ (including but not limited to newsprint) not less than eleven inches in width and not less than fourteen inches in length ~~((; with a margin of one and three-quarters inches at the top for binding))~~. Each petition at the time of circulating, signing, and filing with the secretary of state shall consist of not more than one sheet with numbered lines for not more than twenty signatures ~~((on each sheet))~~, with the prescribed warning ~~((;))~~ and title ~~((and form of petition on each sheet))~~, shall be in the form required by RCW 29.79.090, 29.79.100, or 29.79.110, as now or hereafter amended, and shall have a full, true, and correct copy of the proposed measure referred to therein printed on the reverse side of ~~((said))~~ the petition ~~((or on sheets of paper of like size and quality as the petition, firmly fastened together))."~~

Renumber the sections following consecutively, and correct internal references accordingly.

On page 9, line 36, strike all of section 10, and insert the following:

"Sec. 10. Section 29.79.120, chapter 9, Laws of 1965 and RCW 29.79.120 are each amended to read as follows:

When the person (~~(or organization)~~) proposing any initiative measure has secured upon (~~(any)~~) such initiative petition (~~(the)~~) a number of signatures of legal voters equal (~~(in number)~~) to or exceeding eight percent of the (~~(whole number of voters registering and voting)~~) votes cast for the office of governor at the last regular gubernatorial election (~~(last preceding)~~) prior to the submission of the signatures for verification, or when the person or organization demanding any referendum of an act of the legislature or any part thereof has secured upon any such referendum petition (~~(the)~~) a number of signatures of legal voters equal (~~(in number)~~) to or exceeding four percent of the (~~(whole number of voters registering and voting)~~) votes cast for the office of governor at the last regular gubernatorial election (~~(last preceding)~~) prior to the submission of the signatures for verification, he or they may submit (~~(said)~~) the petition to the secretary of state for filing (~~(in his office)~~)."*

On page 11, line 14, strike all of section 13 and insert the following:

"Sec. 13. Section 29.79.200, chapter 9, Laws of 1965 as last amended by section 105, chapter 361, Laws of 1977 ex. sess. and RCW 29.79.200 are each amended to read as follows:

Upon the filing (~~(the volumes)~~) of an initiative or referendum petition (~~(proposing a measure for submission to the legislature at its next regular session)~~), the secretary of state shall (~~(forthwith in the presence of at least one person representing the advocates and one person representing the opponents of the proposed measure, should either desire to be present.)~~) proceed to verify and canvass (~~(and count)~~) the names of the legal voters (~~(thereon)~~) on the petition. The verification and canvass of signatures on the petition may be observed by persons representing the advocates and opponents of the proposed measure so long as they make no record of the names, addresses, or other information on the petitions or related records during the verification process except upon the order of the superior court of Thurston county. The secretary of state may limit the number of observers to not less than two on each side, if in his or her opinion, a greater number would cause undue delay or disruption of the verification process. Any such limitation shall apply equally to both sides. The secretary of state may use any statistical sampling techniques for this verification and canvass which have been adopted by rule as provided by chapter 34.04 RCW (~~(- PROVIDED, That)~~). No petition will be rejected on the basis of any statistical method employed (~~(- PROVIDED FURTHER, That)~~), and no petition will be accepted on the basis of any statistical method employed if such method indicates that the petition contains less than one hundred ten percent of the requisite number of signatures of legal voters. If the secretary of state finds the same name signed to more than one petition, he or she shall reject (~~(the name as often as it appears. If the petition is found to be sufficient.)~~) all but the first such valid signature. For an initiative to the legislature, the secretary of state shall transmit a certified copy of the proposed measure to the legislature at the opening of its session (~~(together with)~~) and, as soon as the signatures on the petition have been verified and canvassed, the secretary of state shall send to the legislature a certificate of the facts relating to the filing, verification, and canvass of the petition (~~(and the canvass thereof)~~)."

On page 12, line 29, strike all of section 15 and insert the following:

"NEW SECTION. Sec. 15. The following acts or parts of acts are each repealed:

- (1) Section 29.79.130, chapter 9, Laws of 1965 and RCW 29.79.130; and
- (2) Section 29.79.220, chapter 9, Laws of 1965, section 2, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.220."

In line 3 of the title, after "29.79.010;" insert "amending section 2, chapter 122, Laws of 1973 and RCW 29.79.015; amending section 29.79.030, chapter 9, Laws of 1965 and RCW 29.79.030;"

In line 9 of the title, after "29.79.060;" insert "amending section 29.79.070, chapter 9, Laws of 1965 and RCW 29.79.070;"

In line 23 of the title, after "29.79.310;" strike "adding a new section to chapter 29.79 RCW; and"

In line 25 of the title, after "29.79.130" and before the period, insert "; and repealing section 29.79.220, chapter 9, Laws of 1965, section 2, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.220" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Greengo, the House concurred in the Senate amendments to Substitute House Bill No. 663.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 663 as amended by the Senate.

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

ROLL CALL

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

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser,

King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 663 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 849 with the following amendments:

On page 4, line 5 strike "~~((for periods not exceeding five years in duration))~~" and insert "for periods not exceeding five years in duration"

On page 4, line 8 strike "and years of duration"

On page 4, line 10 strike ", not to exceed five years"

On page 4, line 13 strike ", not to exceed five years"

On page 4, line 13 after "; " insert "and"

On page 4, line 14 after "transportation" strike ", not to exceed three years" and insert "services"

On page 5, following section 4 add a new section to read as follows, renumber the remaining sections consecutively, and make internal reference changes as necessary throughout the bill:

"Sec. 5. Section 1, chapter 47, Laws of 1975 and RCW 28A.58.430 are each amended to read as follows:

Any common school district board of directors is empowered to direct and authorize, and to delegate authority to an employee, officer, or agent of the common school district or the educational service district to direct and authorize, the county treasurer to invest funds described in RCW 28A.58.435 and 28A.58.440 and funds from state and federal sources as are then or thereafter received by the educational service district, and such funds from county sources as are then or thereafter received by the county treasurer, for distribution to the common school districts. Funds from state, county and federal sources which are so invested may be invested only for the period the funds are not required for the immediate necessities of the common school district as determined by the school district board of directors or its delegatee, and shall be invested in behalf of the common school district pursuant to the terms of RCW 28A.58.435 ((or)), 28A.58.440, or 36.29.020, as now or hereafter amended, as the nature of the funds shall dictate. A grant of authority by a common school district pursuant to this section shall be by resolution of the board of directors and shall specify the duration and extent of the authority so granted. Any authority delegated to an educational service district pursuant to this section may be redelegated pursuant to RCW 28A.21.095, as now or hereafter amended."

On page 7, line 6 strike "renovated" and insert "converted from one use to another use, and no other appropriate and usable equipment or furniture is available within the district's inventory"

On page 7, beginning on line 11 strike all of sections 6 and 7 and renumber the remaining sections consecutively.

On page 8, line 24 after "district" strike "within its boundaries" and insert "and/or other educational service districts"

On page 8, line 32 after "school districts" strike "or the" and insert "and/or"

On page 8, line 32 after "service" strike everything through "located" on line 33 and insert "districts"

On page 1, beginning on line 2 of the title strike all material down to and including "fund" on line 7.

On page 1, line 14 of the title after "RCW 28A.58.035;" insert "amending section 1, chapter 47, Laws of 1975 and RCW 28A.58.430;"

On page 1, line 23 of the title after "28A.58 RCW;" strike "adding new sections to chapter 2, Laws of 1971 ex. sess. and to chapter 43.21C RCW;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Taylor, the House concurred in the Senate amendments to Substitute House Bill No. 849.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 849 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 849 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Warnke.

Not voting: Representative Salatino.

Substitute House Bill No. 849 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 859 with the following amendments:

On page 3, line 22 following "date" insert "PROVIDED FURTHER, That subsequent to the hearing the chairman and the applicant may agree, prior to the expiration of the one-hundred twenty day period or the agreed upon later date, that the date for agencies to forward their final decisions may be extended. If such agreement is reached, the affected agencies shall be notified in writing by the chairman"

On page 4, line 6 following "date" insert "PROVIDED FURTHER, That subsequent to the last required publication, the chairman and the applicant may agree, prior to the expiration of the one-hundred fifty day period or the agreed upon later date, that the date for agencies to forward their final decisions may be extended. If such agreement is reached, the affected agencies shall be notified in writing by the chairman" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Barnes, the House concurred in the Senate amendments to House Bill No. 859.

POINT OF INQUIRY

Mr. Barnes yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Barnes, if the applicant did not agree to the extension of the time, would the permit be denied?"

Mr. Barnes: "The agency has the option of denying a permit or granting a permit. If they don't move at all or if there has been no agreement, at the end of the time the application would automatically be approved."

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 859 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 859 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

House Bill No. 859 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3446,
 SENATE BILL NO. 3847,
 SENATE BILL NO. 4354,
 SENATE BILL NO. 4425,
 SUBSTITUTE SENATE BILL NO. 4449,
 SUBSTITUTE SENATE BILL NO. 4461,
 SENATE BILL NO. 4464,
 SENATE BILL NO. 4477,
 SUBSTITUTE SENATE BILL NO. 4481,
 SENATE BILL NO. 4493,
 SUBSTITUTE SENATE BILL NO. 4545,
 SENATE BILL NO. 4638,
 SUBSTITUTE SENATE BILL NO. 4697,
 SENATE BILL NO. 4713,
 SENATE BILL NO. 4718,
 SUBSTITUTE SENATE BILL NO. 4775,
 SUBSTITUTE SENATE BILL NO. 4826.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 891 with the following amendments:

On page 1, beginning on line 12 strike all of section 1 and renumber the remaining sections consecutively.

On page 1, line 1 of the title after "insurance;" strike everything down to and including "48.66.020;" on line 3.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Dawson, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 891.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 891 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 891 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Cole, Heck, Kaiser, Nelson D., Rinehart.

Not voting: Representatives McGinnis, Salatino.

Engrossed Substitute House Bill No. 891 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 907 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 2, chapter 67, Laws of 1981 and RCW 34.12.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Office' means the office of administrative hearings.

(2) 'Administrative law judge' means any person appointed by the chief administrative law judge to conduct or preside over hearings as provided in this chapter.

(3) 'Hearing' means a 'contested case' within the meaning of RCW 34.04.010(3) conducted by a state agency.

(4) 'State agency' means any state board, commission, department, or officer authorized by law to make rules or to adjudicate contested cases, except those in the legislative or judicial branches, the pollution control hearings board, the shorelines hearings board, the forest practices appeals board, the environmental hearings office, the board of industrial insurance appeals, the state personnel board, the higher education personnel board, the public employment relations commission, personnel appeals board, and the board of tax appeals.

NEW SECTION. Sec. 2. Section 6, chapter 67, Laws of 1981 and RCW 34.12.060 are each amended to read as follows:

When an administrative law judge presides at a hearing under this chapter and a majority of the officials of the agency who are to render the final decision have not heard substantially all of the oral testimony and read all exhibits submitted by any party, it shall be the duty of such judge, or in the event of his unavailability or incapacity, of another judge appointed by the chief administrative law judge, to issue ~~((a proposal))~~ an initial decision or proposal for decision including findings of fact and conclusions of law in accordance with RCW 34.04.110.

NEW SECTION. Sec. 3. There is added to chapter 46.20 RCW a new section to read as follows:

The director may appoint a designee, or designees, to preside over hearings in contested cases which may result in the denial, restriction, suspension, or revocation of a driver's license or driving privilege, or in the imposition of requirements to be met prior to issuance or reissuance of a driver's license, under Title 46 RCW. The director may delegate to any such designees the authority to render the final decision of the department in such cases. Chapter 34.12 RCW shall not apply to such cases.

NEW SECTION. Sec. 4. Section 36, chapter 121, Laws of 1965 ex. sess. as last amended by section 28, chapter 67, Laws of 1981 and RCW 46.20.329 are each amended to read as follows:

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

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

A formal hearing shall be conducted by the director or by ~~((an administrative law judge or hearing board appointed under chapter 34.12 RCW. Such administrative law judge or hearing board may be authorized by the director to make final determinations regarding the issuance, denial, or suspension, or revocation of a license))~~ a person or persons appointed by the director from among the employees of the department.

NEW SECTION. Sec. 5. Section 3, chapter 75, Laws of 1965 ex. sess. as last amended by section 29, chapter 67, Laws of 1981 and RCW 47.52.135 are each amended to read as follows:

At the hearing any representative of the county, city or town, or any other person may appear and be heard even though such official or person is not an abutting property owner. Such hearing may, at the option of the highway authority, be conducted in accordance with federal laws and regulations governing highway design public hearings. The members of such authority shall preside, or may ~~((request the appointment of an administrative law judge under chapter 34.12 RCW))~~ designate some suitable person to preside as examiner. The authority shall introduce by competent evidence a summary of the proposal for the establishment of a limited access facility and any evidence that supports the adoption of the plan as being in the public interest. At the conclusion of such evidence, any person entitled to notice who has entered a written appearance shall be deemed a party to this hearing for purposes of this chapter and may thereafter introduce, either in person or by counsel, evidence and statements or counterproposals bearing upon the reasonableness of the proposal.

Any such evidence and statements or counterproposals shall receive reasonable consideration by the authority before any proposal is adopted. Such evidence must be material to the issue before the authority and shall be presented in an orderly manner.

NEW SECTION. Sec. 6. Section 69.50.505, chapter 308, Laws of 1971 ex. sess. as last amended by section 3, chapter 48, Laws of 1981 and by section 32, chapter 67, Laws of 1981 and RCW 69.50.505 are each reenacted and amended to read as follows:

(a) The following are subject to seizure and forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of this chapter;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in paragraphs (1) or (2), but:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent;

(iii) A conveyance is not subject to forfeiture for a violation of RCW 69.50.401(((e)))(d); and,

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter; and

(6) All drug paraphernalia.

(b) Property subject to forfeiture under this chapter may be seized by any board inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, of the seizure and intended forfeiture of the seized property. The notice may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) of this section within forty-five days of the seizure, the item seized shall be deemed forfeited.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4) of this section within forty-five days of the seizure, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is more than five hundred dollars. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of items specified in subsection (a)(4) of this section. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(4) of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds shall be used for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, and court costs;

(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(4) Forward it to the Bureau for disposition.

(g) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.

(i) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

NEW SECTION. Sec. 7. Section 5, chapter 141, Laws of 1967 as last amended by section 239, chapter 141, Laws of 1979 and RCW 72.33.670 are each amended to read as follows:

In all cases where a determination is made that the estate of a mentally or physically deficient person who resides at a state residential school is able to pay all or any portion of the monthly charges, a notice and finding of financial responsibility shall be personally served on the guardian of the resident's estate, or if no guardian has been appointed then to his spouse or parents or other person acting in a representative capacity and having property in his possession belonging to a resident of a state residential school and the superintendent of the state residential school. The notice shall set forth the amount the department has determined that such estate is able to pay per month, not to exceed the monthly charge as fixed in accordance with RCW 72.33.660, and the responsibility for payment to the department of social and health services shall commence thirty days after personal service of such notice and finding of responsibility. An appeal from the determination of responsibility may be made to the secretary by the guardian of the resident's estate, or if no guardian has been appointed then by his spouse, parent or parents or other person acting in a representative capacity and having property in his possession belonging to a resident of a state residential school, within such thirty day period upon written notice of appeal being served upon the secretary by registered or certified mail. If no appeal is taken, the notice and finding of responsibility shall become final. If an appeal is taken, the execution of notice and finding of responsibility shall be stayed pending the decision of such appeal. Appeals may be heard in any county seat most convenient to the appellant. The hearing of appeals may be presided over by ((a hearing examiner)) an administrative law judge appointed under chapter 34.12 RCW and the proceedings shall be recorded either manually or by a mechanical device. Any such appeal shall be a 'contested case' as defined in RCW 34.04.010, and practice and procedure shall be governed by the provisions of RCW 72.33.650 through 72.33.700, the rules and regulations of the department of social and health services, and the Administrative Procedure Act, chapter 34.04 RCW.

NEW SECTION. Sec. 8. Section 25, chapter 183, Laws of 1973 1st ex. sess. as amended by section 12, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.055 are each amended to read as follows:

(1) The secretary may, in the absence of a superior court order, serve on the responsible parent or parents a notice and finding of financial responsibility requiring a responsible parent or parents to appear and show cause in a hearing held by the department why the finding of responsibility and/or the amount thereof is incorrect, should not be finally ordered, but should be rescinded or modified. This notice and finding shall relate to the support debt accrued and/or accruing under this chapter and/or RCW 26.16.205, including periodic payments to be made in the future for such period of time as the child or children of said responsible parent or parents are in need. Said hearing shall be held pursuant to RCW 74.20A.055, chapter 34.04 RCW, and the rules and regulations of the department, which shall provide for a fair hearing.

(2) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the responsible parent by certified mail, return receipt requested. The receipt shall be prima facie evidence of service. The notice shall be served upon the debtor within sixty days from the date the state assumes responsibility for the support of the dependent child or children on whose behalf support is sought. If the notice is not served within sixty days from such date, the department shall lose the right to reimbursement of payments made after the sixty-day period and before the date of notification: **PROVIDED**, That if the department exercises reasonable efforts to locate the debtor and is unable to do so the entire sixty-day period is tolled until such time as the debtor can be located. Any responsible parent who objects to all or any part of the notice and finding shall have the right for not more than twenty days from the date of service to request in writing a hearing, which request shall be served upon the department by registered or certified mail or personally. If no such request is made, the notice and finding of responsibility shall become final and the debt created therein shall be subject to collection action as authorized under this chapter. If a timely request is made, the execution of notice and finding of responsibility shall be stayed pending the decision on such hearing. If no timely written request for a hearing has previously been made, the responsible parent may petition the secretary or the secretary's designee at any time for a hearing as provided for in this section upon a showing of good cause for the failure to make a timely request for hearing. The filing of the petition for a hearing after the twenty-day period shall

not affect any collection action previously taken under this chapter. The granting of a request for the hearing shall operate as a stay on any future collection action, pending the final decision of the secretary or the secretary's designee on the hearing. Moneys withheld as a result of collection action in effect at the time of the granting of the request for the hearing shall be delivered to the department and shall be held in trust by the department pending the final order of the secretary or during the pendency of any appeal to the courts made under chapter 34.04 RCW. The department may petition the ((hearing examiner)) administrative law judge to set temporary current and future support to be paid beginning with the month in which the petition for an untimely hearing is granted. The ((hearing examiner)) administrative law judge shall order payment of temporary current and future support if appropriate in an amount determined pursuant to the scale of suggested minimum contributions adopted under RCW 74.20.270. In the event the responsible parent does not make payment of the temporary current and future support as ordered by the hearing examiner, the department may take collection action pursuant to chapter 74.20A RCW during the pendency of the hearing or thereafter to collect any amounts owing under the order. Temporary current and future support paid, or collected, during the pendency of the hearing or appeal shall be disbursed to the custodial parent or as otherwise appropriate when received by the department. If the final decision of the department, or of the courts on appeal, is that the department has collected from the responsible parent other than temporary current or future support, an amount greater than such parent's past support debt, the department shall promptly refund any such excess amount to such parent.

(3) Hearings may be held in the county of residence or other place convenient to the responsible parent. Any such hearing shall be a 'contested case' as defined in RCW 34.04.010. The notice and finding of financial responsibility shall set forth the amount the department has determined the responsible parent owes, the support debt accrued and/or accruing, and periodic payments to be made in the future for such period of time as the child or children of the responsible parent are in need, all computable on the basis of the need alleged. The notice and finding shall also include a statement of the name of the recipient or custodian and the name of the child or children for whom need is alleged; and/or a statement of the amount of periodic future support payments as to which financial responsibility is alleged.

(4) The notice and finding shall include a statement that the responsible parent may object to all or any part of the notice and finding, and request a hearing to show cause why said responsible parent should not be determined to be liable for any or all of the debt, past and future.

The notice and finding shall include a statement that, if the responsible parent fails in timely fashion to request a hearing, the support debt and payments stated in the notice and finding, including periodic support payments in the future, shall be assessed and determined and ordered by the department and that this debt shall be subject to collection action; a statement that the property of the debtor, without further advance notice or hearing, will be subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver to satisfy the debt.

(5) If a hearing is requested, it shall be promptly scheduled, in no more than thirty days. The hearing, including a hearing on prospective modification, shall be conducted by ((a duly qualified hearing examiner appointed for that purpose)) an administrative law judge appointed under chapter 34.12 RCW.

After hearing has been presented at hearings conducted by the ((hearing examiner)) administrative law judge, the ((hearing examiner)) administrative law judge shall enter an initial decision and order which shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the order based thereon. The ((hearing examiner)) administrative law judge shall file the original of the initial decision and order, signed by the ((hearing examiner)) administrative law judge, with the secretary or the secretary's designee. Copies of the initial decision and order shall be mailed by the ((hearing examiner)) administrative law judge to the department and to the appellant by certified mail to the last known address of each party. Within thirty days of filing, either the appellant or the department may file with the secretary or the secretary's designee a written petition for review of the initial decision and order. The petition for review shall set forth in detail the basis for the requested review and shall be mailed by the petitioning party to the other party by certified or registered mail to the last known address of the party.

The petition shall be based on any of the following causes materially affecting the substantial rights of the petitioner:

(a) Irregularity in the proceedings of the ((hearing examiner)) administrative law judge or adverse party, or any order of the ((hearing examiner)) administrative law judge, or abuse of discretion, by which the moving party was prevented from having a fair hearing;

(b) Misconduct of the prevailing party;

(c) Accident or surprise which ordinary prudence could not have guarded against;

(d) Newly discovered evidence, material for the party making the application, which the party could not with reasonable diligence have discovered and produced at the hearing;

(e) That there is no evidence or reasonable inference from the evidence to justify the decision, or that it is contrary to law;

(f) Error in mathematical computation;

(g) Error in law occurring at the hearing and objected to at the time by the party making the application;

(h) That the moving party is unable to perform according to the terms of the order without further clarification;

(i) That substantial justice has not been done;

(j) Fraud or misstatement of facts by any witness, which materially affects the debt;

(k) Clerical mistakes in the decision arising from oversight or omission; or

(l) That the decision and order entered because the responsible parent failed to appear at the hearing should be vacated and the matter be remanded for a hearing upon showing of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

In the event no petition for review is made as provided in this subsection by any party, the initial decision and order of the (~~hearing examiner~~) administrative law judge is final as of the date of filing and becomes the decision and order of the secretary. No appeal may be taken therefrom to the courts and the debt created is subject to collection action as authorized by this chapter.

After the receipt of a petition for review, the secretary or the secretary's designee shall consider the initial decision and order, the petition or petitions for review, the record or any part thereof, and such additional evidence and argument as the secretary or the secretary's designee may in his or her discretion allow. The secretary or the secretary's designee may remand the proceedings to the (~~hearing examiner~~) administrative law judge for additional evidence or argument. The secretary or the secretary's designee may deny review of the initial decision and order and thereupon deny the petition or petitions at which time the initial decision and order shall be final as of the date of the denial and all parties shall forthwith be notified, in writing, of the denial, by certified mail to the last known address of the parties. Unless the petition is denied, the secretary or the secretary's designee shall review the initial decision and order and shall make the final decision and order of the department. The final decision and order shall be in writing and shall contain findings of fact and conclusions of law as to each contested issue of fact and law. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal by certified mail to the last known address of the party. The decision and order shall authorize collection action, as appropriate, under this chapter.

(6) The (~~hearing examiner~~) administrative law judge in his or her initial decision, or the secretary or the secretary's designee in review of the initial decision, shall determine the past liability and responsibility, if any, of the alleged responsible parent and shall also determine the amount of periodic payments to be made in the future, which amount is not limited by the amount of any public assistance payment made to or for the benefit of the child. In making these determinations, the (~~hearing examiner~~) administrative law judge, and the secretary or the secretary's designee, shall include in his or her considerations:

- (a) All earnings and income resources of the responsible parent, including real and personal property;
- (b) The earnings potential of the responsible parent;
- (c) The reasonable necessities of the responsible parent;
- (d) The ability of the responsible parent to borrow;
- (e) The needs of the child for whom the support is sought;
- (f) The amount of assistance which would be paid to the child under the full standard of need of the state's public assistance plan;
- (g) The existence of other dependents; and

(h) That the child, for whom support is sought, benefits from the income and resources of the responsible parent on an equitable basis in comparison with any other minor children of the responsible parent.

If the responsible parent fails to appear at the hearing, upon a showing of valid service, the (~~hearing examiner~~) administrative law judge shall enter an initial decision and order declaring the support debt and payment provisions stated in the notice and finding of financial responsibility to be assessed and determined and subject to collection action. Within thirty days of entry of said decision and order, the responsible parent may petition the secretary or the secretary's designee to vacate said decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

(7) The final decision entered pursuant to this section shall be entered as a decision and order and shall limit the support debt to the amounts stated in said decision: PROVIDED, That said decision establishing liability and/or future periodic support payments shall be superseded upon entry of a superior court order for support to the extent the superior court order is inconsistent with the hearing order or decision: PROVIDED FURTHER, That in the absence of a superior court order, either the responsible parent or the department may petition the secretary or his designee for issuance of an order to appear and show cause based on a showing of good cause and material change of circumstances, to require the other party to appear and show cause why the decision previously entered should not be prospectively modified. Said order to appear and show cause together with a copy of the petition and affidavit upon which the order is based shall be served in the manner of a summons in a civil action or by certified mail, return receipt requested, on the other party by the petitioning party. A hearing shall be set not less than fifteen nor more than thirty days from the date of service, unless extended for good cause shown. Prospective modification may be ordered, but only upon a showing of good cause and material change of circumstances. The decision and order for prospective modification entered by the (~~hearing examiner~~) administrative law judge shall be an initial decision subject to review by the secretary or the secretary's designee as provided for in this section.

(8) The (~~hearing examiner~~) administrative law judge, in making the initial decision and the secretary or the secretary's designee in the final decision determining liability and/or future periodic support payments, shall consider the standards promulgated pursuant to RCW 74.20.270 and any standards for determination of support payments used by the superior court of the county of residence of the responsible parent.

(9) Debts determined pursuant to this section, accrued and not paid, are subject to collection action under this chapter without further necessity of action by the (~~hearing examiner~~) administrative law judge, or the secretary or secretary's designee.

(10) 'Need' as used in this section shall mean the necessary costs of food, clothing, shelter, and medical attendance for the support of a dependent child or children. The amount determined by reference to the schedule of suggested minimum contributions adopted under RCW 74.20.270, based on the earnings,

resources, and property of the alleged responsible parent, shall be a rebuttable presumption of the alleged responsible parent's ability to pay and the need of the family: PROVIDED, That such responsible parent shall be presumed to have no ability to pay child support under this chapter from any income received from aid to families with dependent children, supplemental security income, or continuing general assistance.

NEW SECTION. Sec. 9. The administrative hearings revolving fund is hereby created in the state treasury for the purpose of centralized funding, accounting, and distribution of the actual costs of the services provided to agencies of the state government by the office of administrative hearings.

NEW SECTION. Sec. 10. The amounts to be disbursed from the administrative hearings revolving fund from time to time shall be transferred thereto by the state treasurer from funds appropriated to any and all agencies for administrative hearings expenses on a quarterly basis. Agencies operating in whole or in part from nonappropriated funds shall pay into the administrative hearings revolving fund such funds as will fully reimburse funds appropriated to the office of administrative hearings for any services provided activities financed by nonappropriated funds. The funds from the employment security department for the administrative hearings services provided by the office of administrative hearings shall not exceed that portion of the resources provided to the employment security department by the department of labor, employment and training administration, for such administrative hearings services. To satisfy department of labor funding requirements, the office of administrative hearings shall meet or exceed timeliness standards under federal regulations in the conduct of employment security department appeals.

The director of financial management shall allot all such funds to the office of administrative hearings for the operation of the office, pursuant to appropriation, in the same manner as appropriated funds are allocated to other agencies under chapter 43.88 RCW.

Disbursements from the administrative hearings revolving fund shall be pursuant to vouchers executed by the chief administrative law judge or his designee.

NEW SECTION. Sec. 11. The chief administrative law judge shall keep such records as are necessary to facilitate proper allocation of costs to funds and agencies served and the director of financial management shall prescribe appropriate accounting procedures to accurately allocate costs to funds and agencies served. Billings shall be adjusted in line with actual costs incurred at intervals not to exceed six months.

NEW SECTION. Sec. 12. In cases where there are unanticipated demands for services of the office of administrative hearings or where there are insufficient funds on hand or available for payment through the administrative hearings revolving fund or in other cases of necessity, the chief administrative law judge may request payment for services directly from agencies for whom the services are performed to the extent that revenues or other funds are available. Upon approval by the director of financial management, the agency shall make the requested payment. The payment may be made on either an advance or reimbursable basis as approved by the director of financial management.

NEW SECTION. Sec. 13. RCW 34.12.040 shall not apply to transportation tariff docket hearings conducted by the Washington utilities and transportation commission. The Washington utilities and transportation commission may, however, on its own motion, refer any transportation docket item to an administrative law judge where it is determined that the transportation tariff item in question may have an overall economic impact on transportation costs.

NEW SECTION. Sec. 14. Sections 9 through 13 of this act are added to chapter 34.12 RCW.

NEW SECTION. Sec. 15. There is appropriated from the administrative hearings revolving fund to the office of administrative hearings for the biennium ending June 30, 1983, the sum of \$3,166,000 or so much thereof as may be necessary for the operations and expenses of the office of administrative hearings.

NEW SECTION. Sec. 16. This act shall take effect July 1, 1982."

On page 1, line 1 of the title after "hearings;" strike the remainder of the title and insert "amending section 2, chapter 67, Laws of 1981 and RCW 34.12.020; amending section 6, chapter 67, Laws of 1981 and RCW 34.12.060; amending section 36, chapter 121, Laws of 1965 ex. sess. as last amended by section 28, chapter 67, Laws of 1981 and RCW 46.20.329; amending section 3, chapter 75, Laws of 1965 ex. sess. as last amended by section 29, chapter 67, Laws of 1981 and RCW 47.52.135; reenacting and amending section 69.50.505, chapter 308, Laws of 1971 ex. sess. as last amended by section 3, chapter 48, Laws of 1981 and by section 32, chapter 67, Laws of 1981 and RCW 69.50.505; amending section 5, chapter 141, Laws of 1967 as last amended by section 239, chapter 141, Laws of 1979 and RCW 72.33.670; amending section 25, chapter 183, Laws of 1973 1st ex. sess. as amended by section 12, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.055; adding new sections to chapter 34.12 RCW; adding a new section to chapter 46.20 RCW; making an appropriation; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to House Bill No. 907.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 907 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 907 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

House Bill No. 907 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1011 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. Application of the appearance of fairness doctrine to local land use decisions shall be limited to the quasi-judicial actions of local decision-making bodies as defined in this section. Quasi-judicial actions of local decision-making bodies are those actions of the legislative body, planning commission, hearing examiner, zoning adjuster, board of adjustment, or boards which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance.

NEW SECTION. Sec. 2. No member of a local decision-making body may be disqualified by the appearance of fairness doctrine for conducting the business of his or her office with any constituent on any matter other than a quasi-judicial action then pending before the local legislative body.

NEW SECTION. Sec. 3. No legislative action taken by a local legislative body, its members, or local executive officials shall be invalidated by an application of the appearance of fairness doctrine.

NEW SECTION. Sec. 4. Prior to declaring as a candidate for public office or while campaigning for public office as defined by RCW 42.17.020(5) and (25) no public discussion or expression of an opinion by a person subsequently elected to a public office, on any pending or proposed quasi-judicial actions, shall be a violation of the appearance of fairness doctrine.

NEW SECTION. Sec. 5. A candidate for public office who complies with all provisions of applicable public disclosure and ethics laws shall not be limited from accepting campaign contributions to finance the campaign, including outstanding debts; nor shall it be a violation of the appearance of fairness doctrine to accept such campaign contributions.

NEW SECTION. Sec. 6. During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding.

NEW SECTION. Sec. 7. Participation by a member of a decision-making body in earlier proceedings that result in an advisory recommendation to a decision-making body shall not disqualify that person from participating in any subsequent quasi-judicial proceeding.

NEW SECTION. Sec. 8. Anyone seeking to rely on the appearance of fairness doctrine to disqualify a member of a decision-making body from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the individual. Where the basis is known or should reasonably have been known prior to the issuance of a decision and is not raised, it may not be relied on to invalidate the decision.

NEW SECTION. Sec. 9. In the event of a challenge to a member or members of a decision-making body which would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any such challenged member(s) shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision. Such participation shall not subject the decision to a challenge by reason of violation of the appearance of fairness doctrine.

NEW SECTION. Sec. 10. Nothing in this chapter prohibits the restriction or elimination of the appearance of fairness doctrine by the appellate courts. Nothing in this chapter may be construed to expand the appearance of fairness doctrine.

NEW SECTION. Sec. 11. Nothing in this chapter prohibits challenges to local land use decisions where actual violations of an individual's right to a fair hearing can be demonstrated.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Sections 1 through 12 of this act shall constitute a new chapter in Title 42 RCW.

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1011.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1011 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1011 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Teutsch.

Not voting: Representative Salatino.

Engrossed Substitute House Bill No. 1011 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 935 with the following amendments:

On page 1, following line 26 insert:

"Sec. 2. Section 1, chapter 241, Laws of 1981 and RCW 43.19.095 are each amended to read as follows:

There is created a local fund known as the 'banking examination fund' which shall consist of all moneys received by the division of banking and which shall be used for the purchase of supplies and necessary equipment and the payment of salaries, wages, utilities, and other incidental costs required for the proper maintenance of the division. The state treasurer shall be the custodian of the fund. Disbursements from the fund shall be by appropriation by the legislature (~~on authorization of the director of general administration or the supervisor of banking or the director's or supervisor's designee. In order to maintain an effective expenditure and revenue control, the fund shall be subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund).~~)*

On page 1, line 1 of the title after "companies;" strike "and" and on line 3 following "30.04.070" insert "; and amending section 1, chapter 241, Laws of 1981 and RCW 43.19.095"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Dawson moved that the House do not concur in the Senate amendments to House Bill No. 935 and ask the Senate to recede therefrom.

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

SENATE AMENDMENT TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1131 with the following amendment:

On page 5, line 21 after "rule" insert the following: "PROVIDED, That such fees shall be used for routine enforcement of RCW 15.53.9022 and for analysis for contaminants only when the department has reasonable cause to believe any lot of feed or any feed ingredient is adulterated" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Smith, the House concurred in the Senate amendment to Substitute House Bill No. 1131.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1131 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1131 as amended by the Senate, and the bill passed the House with the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 1131 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 146,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 146, by Senator Bluechel:

Acknowledging the participation and support by citizens of Washington in the National History Contest.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution No. 146 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Teutsch spoke in favor of the resolution, and it was adopted.

MESSAGE FROM THE SENATE

March 8, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4559, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House refused to recede from its amendments to Engrossed Senate Bill No. 4559, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Addison, McGinnis and Walk as conferees on Engrossed Senate Bill No. 4559.

MESSAGE FROM THE SENATE

March 8, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4748, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House insisted on its position with regard to Engrossed Senate Bill No. 4748, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sanders, Eng and Patrick as conferees on Engrossed Senate Bill No. 4748.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Wednesday, March 10, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 10, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carmen Moore and Nathan Galbreath. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGES FROM THE SENATE

March 9, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 855,
SUBSTITUTE HOUSE BILL NO. 868,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3446,
SENATE BILL NO. 3847,
SENATE BILL NO. 4354,
SENATE BILL NO. 4425,
SUBSTITUTE SENATE BILL NO. 4449,
SUBSTITUTE SENATE BILL NO. 4461,
SENATE BILL NO. 4464,
SENATE BILL NO. 4477,
SUBSTITUTE SENATE BILL NO. 4481,
SENATE BILL NO. 4493,
SUBSTITUTE SENATE BILL NO. 4545,
SENATE BILL NO. 4638,
SUBSTITUTE SENATE BILL NO. 4697,
SENATE BILL NO. 4713,
SENATE BILL NO. 4718,
SUBSTITUTE SENATE BILL NO. 4775,
SUBSTITUTE SENATE BILL NO. 4826,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

ENGROSSED SENATE BILL NO. 4470, by Senators Clarke, Vognild, Benitz, Rasmussen, Hurley and Zimmerman (by Governor Spellman request):

Modifying provisions relating to pistols.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 53rd Day, March 4, 1982.)

The Speaker stated the question before the House to be the amendment by Representative Salatino to page 1, line 25.

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

Mr. Brown moved adoption of the following amendment by Representatives Brown and Eberle:

On page 1, after line 25 insert new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for anyone knowingly to carry onto public or private elementary or secondary school premises: (a) Any firearm, or (b) any dangerous weapon as defined in RCW 9.41.250, or (c) any device commonly known as 'nun-chu-ka sticks,' consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means, or (d) any device, commonly known as 'throwing stars,' which are multipointed, metal objects designed to embed upon impact from any aspect.

(2) Any person violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any person who by virtue of the person's office or public employment is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, while in the performance of the duty;

(b) Any person engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or

(c) Any person who has obtained prior written permission from the appropriate public school principal or equivalent private school official to carry the firearm, dangerous weapon, or other device under subsection (1) of this section onto school premises.

(d) Any person who keeps his or her weapons within the confines of a vehicle.

(e) Any person who possesses a valid concealed weapons permit.

(f) Any person who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

(4) The perimeter of the premises of the school shall be posted at reasonable intervals to alert the public as to the existence of the prohibitions of this act.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I'd like a ruling as to scope and object of this amendment. I believe it's beyond the scope of the bill."

SPEAKER'S RULING

The Speaker: "Representative Padden, the Speaker has examined the title of the bill and finds it to be an act relating to firearms. Both the bill and the amendment are amending RCW 9.41. The amendment seeks to add a new section to chapter 9.41. The original bill is dealing with possession of firearms and carrying pistols. The amendment is dealing with firearms and other dangerous weapons; however, since the amendment does deal with firearms, as well as the bill, I would rule that your point of order is not well taken."

Representatives Salatino and Eberle spoke in favor of the amendment, and it was adopted.

On motion of Mr. Salatino, the following amendment to the title was adopted:

On page 1, line 3 of the title strike "and defining crimes" and insert "adding a new section to chapter 9.41 RCW; defining crimes; and prescribing penalties"

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4470 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Grimm, Rinehart, Wang.

Engrossed Senate Bill No. 4470 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4561, by Committee on Commerce and Labor (originally sponsored by Senators Deccio and Moore - by Department of Licensing request):

Revising authorized limits for certain professional and other fees.

The bill was read the second time.

Mr. Barrett moved adoption of the following amendments:

On page 3, line 8 strike "~~((Charitable organization))~~" and insert "(k) Charitable organization;"
Reletter the remaining subsections alphabetically.

On page 4, line 2 strike "~~(m) Charitable organization;~~"
Reletter the remaining subsections alphabetically.

Representatives Barrett, Rinehart and Ellis spoke in favor of the amendments, and Representatives Sanders and Williams spoke against them.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Sanders, the last speaker said that some of these charities may not even be able to function if this fee stays in place. My understanding is that the department can set the fees to cover the cost of the licensing, and that's what is actually intended. Is that also your understanding? At what level would the fee be set?"

Mr. Sanders: "That's correct, Representative Chandler. The entire objective of the Department of Licensing fee-setting accounting system is to make revenue fees equal expenditures, and right now it would be necessary to charge each charity approximately \$68.00 so that the revenue would be equal to expenditures."

Mr. Chandler spoke against the amendment, and Representatives Taylor and Nelson (D) spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Barrett to Substitute Senate Bill No. 4561, and the amendments were adopted by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nickell, Nisbet, North, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Smith, Sommers, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Bond, Chandler, Eberle, Fancher, Fiske, Greengo, Hastings, James, King J., Nelson G. A., O'Brien, Sanders, Sprague, Struthers, Williams, and Mr. Speaker.

Not voting: Representatives Brown, McDonald, Salatino, Sherman, Wang.

The Clerk read the following amendments by Representatives Sanders and King (J):

On page 3, line 20 after "ocularist;" strike "and"

On page 3, after line 20 insert "(t) Charitable organizations; and"

With the consent of the House, Mr. Sanders withdrew the amendments.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4561 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch,

Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Cantu, Ehlers, Garrett, Grimm, Heck, Rinehart, Sherman, Wang.

Substitute Senate Bill No. 4561 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3913, by Committee on Judiciary (originally sponsored by Senators Talmadge, Hemstad and Williams – by Attorney General request):

Authorizing presuit depositions and interrogatories in the investigation of unfair business practices.

The bill was read the second time.

Mr. Padden moved adoption of the following amendments:

On page 1, beginning on line 23 strike "to give oral testimony,"

On page 2, line 7 strike ", " and insert "or"

On page 2, beginning on line 8 strike ", or a date, time, and place at which oral testimony is to be taken"

On page 2, line 12 strike ", " and insert "or"

On page 2, beginning on line 13 strike ", or who are to conduct the examination for oral testimony"

On page 2, line 17 strike ", " and insert "or"

On page 2, beginning on line 18 strike ", or a request for deponition upon oral examination"

On page 3, beginning on line 9 after "court" strike everything through and including "general" on line

25

On page 3, line 26 strike ", " and insert "or"

On page 3, line 27 strike ", or transcripts of oral testimony"

On page 3, line 33 strike ", " and insert "or"

On page 3, beginning on line 33 strike ", or gave oral testimony"

On page 3, line 36 strike ", " and insert "or"

On page 4, line 1 strike ", or transcripts of oral testimony"

On page 4, line 3 strike ", " and insert "or"

On page 4, beginning on line 3 strike ", or gave oral testimony"

On page 4, line 6 strike ", " and insert "or"

On page 4, line 7 strike ", or transcripts of oral testimony"

On page 4, line 10 strike ", " and insert "or"

On page 4, beginning on line 10 strike ", or transcripts of oral testimony"

On page 4, line 14 strike ", " and insert "or"

On page 4, beginning on line 14 strike ", or oral testimony"

On page 4, line 32 strike ", " and insert "or"

On page 4, line 33 strike "or oral testimony"

Mr. Padden spoke in favor of the amendments, and Representatives Ellis, Williams, Patrick and Becker spoke against them.

Mr. Padden spoke again in favor of the amendments, and Mr. Armstrong spoke against them.

The amendments were not adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3913, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barrett, James, Padden.

Not voting: Representative Brown.

Substitute Senate Bill No. 3913, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

MESSAGES FROM THE SENATE

March 9, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 871,
 SUBSTITUTE HOUSE BILL NO. 887,
 HOUSE BILL NO. 897,
 HOUSE BILL NO. 934,
 HOUSE BILL NO. 942,
 HOUSE BILL NO. 1072,
 HOUSE BILL NO. 1074,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has granted the House request for conference on ENGROSSED SENATE BILL NO. 4559 and has appointed the following Senators to the Conference Committee: Senators Lee, Metcalf, Rasmussen.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has receded from its amendment to page 15, line 10 to SUBSTITUTE HOUSE BILL NO. 878, and has passed the bill with the remaining Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF HOUSE BILL WITHOUT CERTAIN SENATE AMENDMENT

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 878 without the Senate amendment to page 15, line 10.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 878 with certain Senate amendments, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Hine.

Substitute House Bill No. 878 with certain Senate amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4153, by Committee on Judiciary (originally sponsored by Senator Pullen):

Permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Patrick and Granlund:

On page 2, after line 24 insert the following:

"Sec. 2. Section 46.56.040, chapter 12, Laws of 1961 as last amended by section 3, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.520 are each amended to read as follows:

(1) When the death of any person shall ensue within three years as a proximate result of injury received by the driving of any vehicle by any person (a) while under the influence of or affected by intoxicating liquor or drugs, or (b) by the operation of any vehicle in a reckless manner or with disregard for the safety of others, the person so operating such vehicle shall be guilty of negligent homicide by means of a motor vehicle.

(2) Any person convicted of negligent homicide by means of a motor vehicle shall be punished by imprisonment in the state penitentiary for not more than ten years, or by imprisonment in the county jail for not more than one year, or by fine of not more than one thousand dollars, or by both fine and imprisonment: PROVIDED, That in addition to any fine imposed under this section, a person convicted under subsection (1)(a) of this section, as determined by a special interrogatory to the jury, shall be imprisoned for a minimum of two years. With the exception of up to four months or residential alcoholism treatment if appropriate, no portion of the two years is subject to suspension, deferral, parole or probation."

POINT OF ORDER

Ms. Becker: "I challenge this amendment on the basis of scope and object."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Becker, the bill itself deals with drunk driving persons; it is RCW 46. The amendment also concerns itself with the drunk driver, and the Speaker will rule it is within the scope and object."

Representatives Tilly, Granlund, Patrick and Nickell spoke in favor of the amendment, and Representatives Becker, Wang, Nisbet and Houchen spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the amendment by Representative Tilly and others to Substitute Senate Bill No. 4153, and the amendment was adopted by the following vote: Yeas, 64; nays, 32; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Galloway, Garrett, Garson, Granlund, Greengo, Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Scott, Stratton, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, Wilson.

Voting nay: Representatives Becker, Brekke, Burns, Fancher, Flanagan, Gallagher, Grimm, Hankins, Houchen, James, King R., Lux, Maxie, Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rust, Sherman, Smith, Sommers, Sprague, Teutsch, Thompson, Valle, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Not voting: Representatives Brown, Warnke.

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

On page 2, after line 24 insert the following:

"Sec. 2. Section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110 are each amended to read as follows:

If a defendant is acquitted of a felony by reason of insanity, and it is found that he is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall direct his final discharge. If it is found that such defendant is a substantial danger to (~~himself or others and in need of~~) other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court shall order his hospitalization, or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter. If it is found that such defendant is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, but that he is in need of control by the court or other persons or institutions, the court shall direct his conditional release. If the defendant is acquitted by reason of insanity of a crime which is not a felony, the court shall order the defendant's release or order the defendant's continued custody only for a reasonable time to allow the county-designated mental-health professional to evaluate the individual and to proceed with civil commitment pursuant to chapter 71.05 RCW, if considered appropriate."

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler, Becker, Ellis, Nickell and Patrick:

On page 2, after line 24 insert new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 46.61 RCW a new section to read as follows:

"(a) Any vehicle being driven by, or under the control of a person at the time of a violation of RCW 46.61.502 or 46.61.504 for which the person is later convicted, is subject to the provisions of this section.

(b) Except as provided in subsections (c) and (d), such vehicles are subject to seizure by and forfeiture to the law enforcement agency which made the arrest which resulted in the conviction.

(c) No vehicle is subject to forfeiture under this section if the owner of the vehicle did not knowingly consent to the violation.

(d) A forfeiture of a vehicle encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party did not knowingly consent to the violation.

(e) A vehicle subject to forfeiture under this chapter may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure without process may be made if the seizure is incident to an arrest for a violation of RCW 46.61.502 or 46.61.504.

(f) In the event of seizure pursuant to subsection (e) proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the vehicle seized and the person in charge thereof and any person having any known right of interest therein, of the seizure and intended forfeiture of the seized vehicle. The notice may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(g) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the vehicle within forty-five days of the seizure, the vehicle seized shall be deemed forfeited.

(h) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the vehicle within forty-five days of the seizure, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, or an administrative law judge if required by chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the value of the vehicle involved is more than five hundred dollars. A hearing before the seizing agency and any appeal therefrom shall be under chapter 34.04 RCW. In a court hearing between two or more claimants to the vehicle involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the vehicle. The seizing law enforcement agency shall promptly return the vehicle to the claimant upon a determination by the hearing officer or court that the claimant is the present lawful owner or is lawfully entitled to possession.

(i) When a vehicle is forfeited under this chapter the seizing law enforcement agency may retain it for official use or sell it.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Representatives Kreidler, Patrick, Tilly and Nickell spoke in favor of the amendment, and Representatives Padden and McGinnis spoke against it.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Dickie.

Mr. Dickie: "Representative Padden, what would be the implications on a vehicle where it was construed to be community property?"

Mr. Padden: "Well, Representative Dickie, it appears to me, from a brief glance at this amendment without being able to really seriously go over it, that that could be a serious problem. Washington is one of the eleven states that has community property. Also, it seems to be a problem here as to when the seizure is going to take place. I have some real concerns about this."

Mr. Struthers demanded the previous question.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kreidler and others to Substitute Senate Bill No. 4153, and the amendment was adopted by the following vote: Yeas, 78; nays, 16; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Barrett, Bickham, Dickie, Eberle, Fancher, Galloway, James, Leonard, Lewis, McGinnis, Nisbet, Padden, Prince, Sprague, Teutsch, Wilson.

Not voting: Representatives Bond, Isaacson, Van Dyken, Warnke.

On motion of Ms. McCormick, the following amendment by Representatives McCormick and Padden was adopted:

On page 2, after line 24 add a new section as follows:

"**NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Mr. Ellis, the following amendments to the title were adopted:

On page 1, line 1 of the title strike "and" and on line 3 after "RCW 46.20.391" insert "; and adding a new section to chapter 46.61 RCW"

On page 1, line 3 of the title after "46.20.391" strike the period and insert "; and amending section 46.56.040, chapter 12, Laws of 1961 as last amended by section 3, chapter 287, Laws of 1975 1st ex. sess. and RCW 46.61.520."

On motion of Ms. McCormick, the following amendment to the title was adopted:

On page 1, line 3 of the title after "46.20.391" insert "; and declaring an emergency"

On motion of Mr. Wang, the following amendment to the title was adopted:

On page 1, line 3 after "46.20.391" insert "; and amending section 11, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110"

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

Representatives Ellis, Patrick and Granlund spoke in favor of passage of the bill, and Mr. James spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4153 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Fancher, Houchen, James, Nisbet, Teutsch, Van Dyken.

Not voting: Representative Warnke.

Substitute Senate Bill No. 4153 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-144, by Representatives Garson, Vander Stoep, Rosbach and Kreidler:

WHEREAS, KGY Radio Station (1240), one of the oldest radio stations in the United States, is celebrating its sixtieth anniversary in April, 1982; and

WHEREAS, KGY's founder, Father Sebastian Ruth of St. Martins Abbey and College in Lacey, pioneered one of the first experimental amateur radio stations in the Pacific Northwest; and

WHEREAS, KGY Radio Station has provided and continues to provide valuable broadcasting services to the communities in Thurston County; and

WHEREAS, KGY Radio Station was instrumental in the development of the state-wide legislative news network;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House of Representatives recognizes the pioneering broadcast achievements brought about by Father Sebastian Ruth's experimental wireless radio station; and

BE IT FURTHER RESOLVED, That the House of Representatives applauds the outstanding contributions of Tom Olsen and his family in the development of KGY Radio Station and the provision of sixty years of exceptional radio service to the citizens of Thurston County; and

BE IT FURTHER RESOLVED, That the members of the House of Representatives join the owners, staff, and management of KGY Radio Station in celebrating the station's sixtieth anniversary as an FCC-licensed radio station during the month of April; and

BE IT FURTHER RESOLVED, That the Chief Clerk transmit copies of this resolution to KGY Radio Station (1240), Mrs. Tom Olsen, and St. Martin's Abbey.

Mr. Garson moved adoption of the resolution and spoke in favor of it.

House Resolution No. 82-144 was adopted.

The Speaker (Mr. Amen presiding) declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE JOINT MEMORIAL NO. 118, by Committee on Higher Education (originally sponsored by Senators Hansen, Patterson, Hemstad, Charnley, Benitz and Goltz):

Petitioning Congress to oppose further reductions in federal funds for postsecondary student assistance programs.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Substitute Senate Joint Memorial No. 118 was advanced to second reading.

On motion of Mr. Nelson (G), further consideration of the memorial was deferred, and it was ordered placed at the bottom of today's second reading calendar.

REPORTS OF STANDING COMMITTEES

March 9, 1982

HOUSE BILL NO. 313, Prime Sponsor: Committee on Revenue, pertaining to the taxation of business inventories. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Not attending: Representative Brown.

Passed to Committee on Rules for second reading.

March 9, 1982

HOUSE BILL NO. 1230, Prime Sponsor: Committee on Ways and Means, modifying appropriations for capital facilities. Reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Passed to Committee on Rules for second reading.

March 9, 1982

ENGROSSED SENATE BILL NO. 3609, Prime Sponsor: Senator Bauer, establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment. Reported by Committee on Appropriations - Education.

MAJORITY recommendation: Do pass as passed by the Committee on Education and with the following amendments:

On page-3, line 30 strike "1983" and insert "1984"

On page 4, line 16 strike "one hundred" and insert "twenty-five"

On page 4, line 18 after "fund," insert "PROVIDED FURTHER, That up to an additional one hundred thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources,"

Signed by Representatives McDonald, Chairman; Warnke, Ranking Minority Member; Eng, Grimm, Heck, Nelson (G), Taylor, Chandler, Chairman - Ways and Means.

Not attending: Representatives James, Vice Chairman; Barrett, Fancher, Salatino, Teutsch.

Passed to Committee on Rules for second reading.

March 9, 1982

SUBSTITUTE SENATE BILL NO. 4502, Prime Sponsor: Committee on Ways and Means, modifying funds apportioned by the superintendent of public instruction. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 15, chapter 15, Laws of 1970 ex. sess. as last amended by section 1, chapter 282, Laws of 1981 and RCW 28A.48.010 are each amended to read as follows:

On or before the last business day of September 1969 and each month thereafter, the superintendent of public instruction shall apportion from the state general fund to the several educational service districts of the state the proportional share of the total annual amount due and apportionable to such educational service districts for the school districts thereof as follows:

September	9%
October	9%
November	5.5%
December	9%
January	9%
February	9%
March	9%
April	9%
May	5.5%
June	((7.0%))
	<u>6.0%</u>
July	((9.5%))
	<u>10.0%</u>
August	((9.5%))
	<u>10.0%</u>

The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during the apportionment year beginning September first and continuing through August thirty-first. Appropriations made for school districts for each year of a biennium shall be apportioned according to the schedule set forth in this section for the fiscal year starting September 1st of the then calendar year and ending August 31st of the next calendar year. The apportionment from the state general fund for each month shall be an amount which will equal the amount due and apportionable to the several educational service districts during such month: PROVIDED, That any school district may petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed ten percent of the total amount to become due and apportionable during the school districts apportionment year. The superintendent of public instruction shall determine if the emergency warrants such advance and if the funds are available therefor. If he determines in the affirmative, he may approve such advance and, at the same time, add such an amount to the apportionment for the educational service district in which the school district is located: PROVIDED, That the emergency advance of funds and the interest earned by school districts on the investment of temporary cash surpluses resulting from obtaining such advance of state funds shall be deducted by the superintendent of public instruction from the remaining amount apportionable to said districts during that apportionment year in which the funds are advanced.

NEW SECTION. Sec. 2. For the 1982-83 school year, one-half of the September, October, March, and April payments under RCW 28A.48.010 shall be made on the last business day of the respective month and the remainder on the fifteenth day of the following month. Interest shall be paid on the amounts deferred under this section at the rate for state interfund loans as established by the state finance committee.

NEW SECTION. Sec. 3. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The superintendent of public instruction shall allow local school districts, upon request, to defer up to four percent of the funds provided by section 87, chapter 340, Laws of 1981, as now existing or hereafter amended, for the 1981-82 school year to the 1982-83 school year. For the purposes of the 1982 maximum qualification calculation under RCW 84.52.0531, the 1981-82 basic education allocation shall exclude such deferred funds. Any funds received in the 1982-83 school year pursuant to this section shall not be included in the calculation of the 1984 levy lid pursuant to RCW 84.52.0531. Local school districts shall receive the full amount deferred under this section with the June, 1983 apportionment.

NEW SECTION. Sec. 4. There is hereby appropriated from the general fund to the superintendent of public instruction for the biennium ending June 30, 1983, two million two hundred thousand dollars, or so much thereof as may be necessary, solely for the purposes of paying interest costs associated with section 2 of this act.

NEW SECTION. Sec. 5. Section 3 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. The remainder to this act shall take effect September 1, 1982."

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Nisbet, Thompson, Warnke, Williams.

Passed to Committee on Rules for second reading.

March 9, 1982

ENGROSSED SENATE BILL NO. 4507, Prime Sponsor: Senator Clarke, extending the state treasurer's authority to invest treasury surplus. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, McDonald, Thompson, Williams.

Voting nay: Representatives Struthers, Vice Chairman; Warnke.

Not signing report: Representative Nisbet.

Passed to Committee on Rules for second reading.

March 9, 1982

SENATE BILL NO. 4769, Prime Sponsor: Senator Lee, requiring higher education personnel's and state employees' salaries to be adjusted to achieve comparable worth. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments by the Committee on Appropriations - General Government:

On page 3, line 31 strike "increased" and insert "adjusted"

On page 7, line 19 strike "increased" and insert "adjusted"

On page 8, line 32 strike "increases" and insert "adjustments"

Signed by Representatives Chandler, Chairman; Sommers, Ranking Minority Member; Becker, Greengo, Nisbet, Thompson, Warnke, Williams.

Voting nay: Representative McDonald.

Not attending: Representative Struthers, Vice Chairman.

Passed to Committee on Rules for second reading.

SECOND READING

ENGROSSED SENATE BILL NO. 4492, by Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request):

Excluding all parking offenses from additional penalty assessments.

The bill was read the second time.

On motion of Mr. Kaiser, the following amendment by Representatives Kaiser and Ehlers was adopted:

On page 2, after line 29 insert the following:

"Sec. 2. Section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

(j) A statement, which the person shall sign, that the person promises to respond to the notice of infraction in one of the ways provided in this chapter;

(k) A statement in at least ten-point bold-face type that failure to respond to a notice of infraction as promised is a misdemeanor and may be punished by a fine or imprisonment in jail.

Sec. 3. Section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070 are each amended to read as follows:

(1) Any person who receives a notice of traffic infraction shall respond to such notice as provided in this section ((with seven)) not later than fourteen days ((of)) after the date of the notice.

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

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

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

(5) (a) If any person issued a notice of traffic infraction:

(i) Fails to respond to the notice of traffic infraction as provided in subsection (2) of this section; or

(ii) Fails to appear at a hearing requested pursuant to subsection (3) or (4) of this section;

the court shall enter an appropriate order assessing the monetary penalty prescribed for the traffic infraction and any other penalty authorized by this chapter and shall notify the department in accordance with RCW 46.20.270, of the failure to respond to the notice of infraction or to appear at a requested hearing.

(b) The department may not renew the driver's license of any person for whom the court has entered an order pursuant to (a) of this subsection until any penalties imposed pursuant to this chapter have been satisfied."

Mr. Ellis moved adoption of the following amendment by Representatives Ellis and Salatino:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. There is added to chapter 46.16 RCW a new section to read as follows:

(1) To renew a vehicle license, an applicant shall satisfy the fines, including penalties, relating to all standing, stopping, and parking violations for the vehicle incurred while the vehicle was registered in the applicant's name and forwarded to the department pursuant to RCW 46.20.270(3) since the vehicle's license was last issued or renewed. The renewal application may be processed by the director or his agents only if the applicant both:

(a) Presents a preprinted renewal application, or in the absence of such presentation, the agent, at his discretion, verifies the information which would be contained on the preprinted renewal application; and

(b) Presents either proof of payment on a form provided by the department or payment of the total standing, stopping, and parking fines stated on the preprinted renewal application and, in the case of payment, payment of a twenty-five percent surcharge on such fines, including penalties.

(2) The twenty-five percent surcharge referred to in subsection (1) of this section shall be allocated as follows:

(a) Eighty percent to the department of licensing; and

(b) Twenty percent to the agent handling the renewal application to be used by the agent for the administration of this section.

(3) All fines and surcharges collected under subsection (1) of this section, with the exception of twenty percent of the surcharge collected by and for the agent, shall be forwarded to the director with a proper identifying detailed report, who shall transmit the accounts from fines to the local charging jurisdictions. Amounts from the percentage of the surcharge received shall be deposited in the general fund to be used exclusively for the administrative costs of the department of licensing and its agents in implementing this section.

(4) If there is a change in the registered owner of the vehicle, the department shall forward such information regarding the change to the local charging jurisdiction and release any hold on the renewal of the vehicle license resulting from standing, stopping, and parking violations incurred while the certificate of license registration was in a prior registered owner's name.

(5) The department shall send to all registered owners of vehicles who have been reported to have outstanding standing, stopping, and parking violations, at the time of renewal, a statement listing the dates and jurisdictions in which the violations occurred as well as the amounts of unpaid fines and the surcharge to be collected. The preprinted renewal application shall state the total amount of such fines and of the surcharge.

Sec. 2. Section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter 128, Laws of 1980 and RCW 46.63.060 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

(j) A statement, which the person shall sign, that the person promises to respond to the notice of infraction in one of the ways provided in this chapter;

(k) A statement that failure to respond to a notice of infraction as promised is a misdemeanor and may be punished by a fine or imprisonment in jail.

Sec. 3. Section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070 are each amended to read as follows:

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

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

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

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

(5) (a) If any person issued a notice of traffic infraction:

(i) Fails to respond to the notice of traffic infraction as provided in subsection (2) of this section; or

(ii) Fails to appear at a hearing requested pursuant to subsection (3) or (4) of this section;

the court shall enter an appropriate order assessing the monetary penalty prescribed for the traffic infraction and any other penalty authorized by this chapter and shall notify the department in accordance with RCW 46.20.270, of the failure to respond to the notice of infraction or to appear at a requested hearing.

(b) The department may not renew the driver's license, or in the case of a standing, stopping, or parking violation the vehicle license, of any person for whom the court has entered an order pursuant to (a) of this subsection until any penalties imposed pursuant to this chapter have been satisfied. For purposes of driver's license nonrenewal only, the lessee of a vehicle shall be considered to be the person to whom a notice of a standing, stopping, or parking violation has been issued for such violations of the vehicle incurred while the vehicle was leased or rented under a bona fide commercial lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner, if the lease agreement contains a provision prohibiting anyone other than the lessee from operating the vehicle. Such a lessor shall, upon the request of the municipality issuing the notice of infraction, supply the municipality with the name and driver's license number of the person leasing the vehicle at the time of the infraction.

Sec. 4. Section 13, chapter 10, Laws of 1982 and RCW 46.63.110 are each amended to read as follows:

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

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

(3) ~~There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to ((overtime)) parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. ((The monetary penalty for failure to respond to a notice of a traffic infraction relating to overtime parking as defined by local law, ordinance, regulation, or resolution shall be set by the local legislative body which originally enacted the local law, ordinance, regulation, or resolution creating the parking offense.)) A local legislative body may set a monetary penalty not to exceed twenty-five dollars for failure to respond to a notice of traffic infraction relating to parking as defined by local law, ordinance, regulation, or resolution. The local court, whether a municipal, police, or district court ((may)) shall impose the monetary penalty set by the local legislative body. ((Such locally set)) Any monetary penalty imposed under this subsection is not subject to the statutory assessments applicable to traffic offenses, including but not limited to the assessments required by RCW 46.81.030 ((and)), 43.101.210 ((and related court rules)), 2.56.100, 3.62.080, and 13.40.260.~~

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

(5) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may, in its discretion, grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment the court shall notify the department of the failure to pay the penalty and the department may not renew the person's driver's license, or after July 1, 1984, in the case of a standing, stopping, or parking violation, the vehicle license, until the penalty has been paid and the penalty provided in subsection (3) of this section has been paid.

(6) There shall be levied and paid into the general fund of the state treasury, a five-dollar fee in addition to the monetary penalty imposed for a traffic infraction other than a parking, standing, stopping, or pedestrian infraction. The five-dollar fee shall not be suspended by the court.

Sec. 5. Section 46.20.270, chapter 12, Laws of 1961 as last amended by section 58, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.270 are each amended to read as follows:

(1) Whenever any person is convicted of any offense for which this title makes mandatory the suspension or revocation of the driver's license of such person by the department, the privilege of the person to operate a vehicle is suspended until the department takes the action required by this chapter, and the court in which such conviction is had shall forthwith secure the immediate forfeiture of the driver's license of such convicted person and immediately forward such driver's license to the department, and on failure of such convicted person to deliver such driver's license the judge shall cause such person to be confined for the period of such suspension or revocation or until such driver's license is delivered to such judge: PROVIDED, That if the convicted person testifies that he or she does not and at the time of the offense did not have a current and valid vehicle driver's license, the judge shall cause such person to be charged with the operation

of a motor vehicle without a current and valid driver's license and on conviction punished as by law provided, and the department may not issue a driver's license to such persons during the period of suspension or revocation: PROVIDED, ALSO, That if the driver's license of such convicted person has been lost or destroyed and such convicted person makes an affidavit to that effect, sworn to before the judge, the convicted person may not be so confined, but the department may not issue or reissue a driver's license for such convicted person during the period of such suspension or revocation: PROVIDED, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.

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

(3) Every municipality having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, may forward to the department within ten days of failure to respond, failure to pay a penalty, failure to appear at a hearing to contest the determination that a violation of any statute, ordinance, or regulation relating to standing, stopping, or parking, or failure to appear at a hearing to explain mitigating circumstances, an abstract of the citation record in the form prescribed by rule of the department, showing the finding by such municipality that three or more violations of laws governing standing, stopping, and parking have been committed and indicating the nature of the defendant's failure to act. Such violations may not have occurred while the vehicle is stolen from the registered owner or is leased or rented under a bona fide commercial vehicle lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner. The department may enter into agreements of reciprocity with the duly authorized representatives of the states for reporting to each other violations of laws governing standing, stopping, and parking.

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

((4)) (5) For the purposes of Title 46 RCW the term "finding that a traffic infraction has been committed" means a failure to respond to a notice of infraction or a determination made by a court pursuant to this chapter. Payment of a monetary penalty made pursuant to RCW 46.63.070(2) is deemed equivalent to such a finding.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. Sections 1, 2, 3, and 5 of this act shall take effect January 1, 1984, and shall apply to standing, stopping, and parking violations committed on or after January 1, 1984."

Representatives Ellis and Armstrong spoke in favor of the amendment, and Representatives Patrick and James spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Ellis and Salatino to Engrossed Senate Bill No. 4492, and the amendment was adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Brekke, Brown, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Gallagher, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., King R., Kridler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Van Dyken, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Barr, Becker, Berleen, Bickham, Bond, Burns, Cantu, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Galloway, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sprague, Teutsch, Tupper, Valle, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Bender, Prince.

On motion of Mr. Ellis, the following amendment to the title was adopted:

On page 1, line 1 of the title after "penalties;" strike the remainder of the title and insert "amending section 8, chapter 136, Laws of 1979 ex. sess. as amended by section 1, chapter

128, Laws of 1980 and RCW 46.63.060; amending section 9, chapter 136, Laws of 1979 ex. sess. as amended by section 2, chapter 128, Laws of 1980 and RCW 46.63.070; amending section 13, chapter 136, Laws of 1979 ex. sess. as last amended by section 13, chapter 10, Laws of 1982 and RCW 46.63.110; amending section 46.20.270, chapter 12, Laws of 1961 as last amended by section 58, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.270; adding a new section to chapter 46.16 RCW; prescribing penalties; and providing an effective date."

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4492 as amended by the House, and the bill passed the House by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Bickham, Cantu, Dickie, Eberle, Fiske, Garrett, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lewis, McGinnis, Mitchell, Nelson G. A., Nickell, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Sprague, Teutsch, Valle, Warnke, Williams, Wilson.
Not voting: Representatives Bender, Bond.

Engrossed Senate Bill No. 4492 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SENATE BILL NO. 3944, by Senator Guess:

Modifying the labor dispute disqualification for unemployment benefits.

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

Mr. Lux spoke against passage of the bill, and Mr. Sanders spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3944, and the bill passed the House by the following vote: Yeas, 54; nays, 44; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, James, Johnson, Leonard, Lewis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Isaacson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Engrossed Senate Bill No. 3944, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1103, by Representatives Struthers, McCormick, Nisbet, Galloway, Lewis, Monohon, Gallagher and King (J):

Providing for a state lottery.

The bill was read the second time. On motion of Mr. Sanders, Second Substitute House Bill No. 1103 was substituted for House Bill No. 1103, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1103 was read the second time.

Mr. Ellis moved adoption of the following amendment:

On page 2, beginning on line 35 strike "forty-five percent of the gross income from such lottery," and insert "twenty-five percent of the gross income from such lottery, (ii) the payment of all expenses for free public circuses or carnivals held periodically in areas determined by the commission to have relatively high poverty or unemployment, which shall not be less than ten percent of the gross income from such lottery, (iii) the payment of costs for the purchase and distribution of bread by nonprofit organizations for feeding the poor or unemployed, which shall not be less than ten percent of the gross income from such lottery,"

Renumber the remaining subsections consecutively.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I would like a ruling on scope and object. I don't believe the act refers to anything with circuses."

SPEAKER'S RULING

The Speaker: "Representative Padden, in examining the amendment, it is still dealing with a state lottery, but is simply earmarking the funds to be used for a specific purpose. In one of the earlier bills there had been an earmarking of a special purpose for the use of the funds, which is no longer in the second substitute bill, but it would appear to the Speaker that would still be within the scope and object of the bill. Your point is not well taken."

Mr. Ellis spoke in favor of the amendment, and Mr. Lewis spoke against it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Nelson (D):

Mr. Nelson (D): "We've had a lot of job programs proposed in this session, and I wonder, Representative Ellis, is this a new Republican proposal for jobs? Also, to take care of the unemployment problem, I'm wondering if the carnivals will substitute for unemployment compensation benefits?"

Mr. Ellis: "Representative Nelson, this obviously will not produce jobs except for carnival workers in the circus, so it could help on the unemployment."

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

On page 3, beginning on line 9, after "act," strike all material down to and including "fund;" on line 13 and insert "(iv) transfer to the state general fund, for the exclusive use of the common schools, of at least thirty percent of the total revenues; and (v) transfer to the state general fund of at least five percent of the total revenues, for appropriation exclusively for (A) nonprofit organizations distributing food to the needy, and (B) medical assistance and medical care services under the limited casualty program under RCW 74.09.700;"

Mr. Lux spoke in favor of the amendment, and Representatives Patrick and Cole spoke against it.

Mr. Lux spoke again in favor of the amendment, and Representatives Greengo and Monohon spoke against it.

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

The amendment was not adopted.

The clerk read the following amendment by Representative Lux:

On page 11, beginning on line 32 after "fund" strike all material down to and including "schools;" on line 36 and insert "exclusively for the purposes enumerated in section 3(1)(k)(iv) and (v) of this act;"

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

Mr. Struthers moved adoption of the following amendment:

On page 14, line 10 after "ratification" insert "by not less than sixty percent affirmative vote of the electors voting thereon"

POINT OF INFORMATION

Mr. Greengo: "Mr. Speaker, I thought I read somewhere in the Constitution that it already required sixty percent for lotteries and this amendment would not be necessary?"

The Speaker: "Article II, section 24, states, 'Lotteries shall be prohibited except as specifically authorized by the affirmative vote of sixty percent of the members of each house of the

legislature or notwithstanding any other provision of this Constitution, by referendum or initiative approved by sixty percent of the vote of the electorate voting thereon."

POINT OF INFORMATION

Mr. Ellis: "Mr. Speaker, I want to follow up on that. Am I to understand that without this amendment, it takes sixty percent vote of the legislature to put it out there?"

The Speaker: "Yes, Representative Ellis, that is correct. With this amendment it would require a sixty percent vote of the people of the state, and a fifty percent vote of the legislature."

Representatives Struthers and Monohon spoke in favor of the bill, and Representatives Ellis and Kreidler spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Greengo: "Since all lottery bills require sixty percent vote of the legislature to pass, can we adopt an amendment by a majority vote which would then allow us to do away with the sixty percent majority?"

The Speaker: "Representative Greengo, I just read you the article from the Constitution that says a lottery can be passed either by a sixty percent of the legislature or by a sixty percent vote of the people of the state."

Mr. Struthers spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Struthers, was this language in the proposition that the people voted on in 1974?"

Mr. Struthers: "Representative Tilly, I cannot tell you that, but I do have copy of the language that went on back in 1974 between two senators that makes this very plain. I'm sure one of the caucus attorneys would make that information available to you."

Mr. Tilly spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to page 14 of Second Substitute House Bill No. 1103, and the amendment was adopted by the following vote: Yeas, 57; nays, 41; not voting, 0.

Voting yea: Representatives Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Chamberlain, Dawson, Dickie, Eberle, Erak, Fancher, Flanagan, Galloway, Garson, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, King J., King R., Leonard, Lewis, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Rosbach, Salatino, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barnes, Becker, Brekke, Burns, Cantu, Chandler, Clayton, Cole, Ehlers, Ellis, Eng, Fiske, Gallagher, Garrett, Granlund, Greengo, Hastings, James, Johnson, Kaiser, Kreidler, Lundquist, Maxie, McDonald, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rust, Sanders, Scott, Sherman, Teutsch, Tilly, Tupper, Wang, Williams.

The Clerk read the following amendment by Representatives Brown, Gallagher and Owen:

On page 14, beginning on line 9 strike all of section 35.

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

Mr. Pruitt moved adoption of the following amendment:

On page 11, line 27 after "shares" insert "tickets shall be flavored with chocolate and mint and wrapped in sanitized wrappers"

Mr. Pruitt spoke in favor of the amendment, and Representatives Prince and Taylor spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pruitt to page 11 of Second Substitute House Bill No. 1103, and the amendment was not adopted by the following vote: Yeas, 10; nays, 87; not voting, 1.

Voting yea: Representatives Bond, Clayton, Eng, Garrett, Kreidler, Lux, Martinis, North, Pruitt, Scott.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Fancher.

The bill was ordered engrossed.

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

A division was called on the motion.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Second Substitute House Bill No. 1103 on final passage, and the motion received the necessary two-thirds majority by the following vote: Yeas, 69; nays, 27; not voting, 2.

Voting yea: Representatives Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brown, Cantu, Chamberlain, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Schmidt, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Valle, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barnes, Becker, Bond, Brekke, Burns, Chandler, Clayton, Cole, Ellis, Eng, Granlund, Greengo, Kreidler, Maxie, McDonald, Pruitt, Rinehart, Rust, Sanders, Scott, Tupper, Van Dyken, Vander Stoep, Wang, Williams.

Not voting: Representatives Sommers, Thompson.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1103.

Representatives Struthers, Lewis, Monohon and McGinnis spoke in favor of passage of the bill, and Representatives Greengo, Fiske, Heck and Tupper spoke against it.

Mr. Hastings demanded the previous question and the demand was not sustained.

Representatives Leonard, Lux, Stratton, Barr, Brown and Warnke spoke in favor of passage of the bill, and Representatives McDonald, Williams, Bond and Van Dyken spoke against it.

Mr. Nelson (G) demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question in the debate on final passage of Engrossed Second Substitute House Bill No. 1103, and the demand failed to receive the required two-thirds majority, by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Eng, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Hankins, Hastings, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., Leonard, Lewis, Lux, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Valle, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barnes, Becker, Bender, Bond, Brekke, Brown, Burns, Chandler, Cole, Ehlers, Ellis, Erak, Garrett, Granlund, Greengo, Grimm, Heck, King R., Kreidler, Lundquist, Martinis, Maxie, McDonald, Nelson D., Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Teutsch, Tilly, Tupper, Van Dyken, Walk, Wang.

Not voting: Representatives Addison, James.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Kreidler, I was interested in some of the remarks you made on the amendment by Representative Struthers, and my question is based on Amendment 56 of

our state Constitution that was approved by the voters on November 7, 1972. Do you believe the measure before us, Second Substitute House Bill 1103, can be passed by the House by a simple constitutional majority of only fifty votes?"

Mr. Kreidler: "No, I do not, Representative Tilly. I think if you read the language of our state Constitution in Amendment 56, it very clearly states that it takes a sixty percent affirmative vote of both bodies of the legislature or—and then it refers to notwithstanding the other forms of referendum and initiative—that it then takes sixty percent of the votes of the people of the state of Washington. So very clearly, it will take a sixty percent vote of this body and of the Senate and of the people of the state of Washington in order to become law."

Mr. Tilly spoke against passage of the bill.

POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (G): "Mr. Speaker, how many votes will be necessary to validate and pass Engrossed Second Substitute House Bill No. 1103?"

The Speaker: "Fifty votes."

Representatives Salatino and Erak spoke in favor of passage of the bill, and Mr. Barnes spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1103, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Chamberlain, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Rosbach, Salatino, Schmidt, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Valle, Walk, Warne, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bond, Burns, Cantu, Chandler, Clayton, Cole, Ellis, Eng, Fiske, Granlund, Greengo, Hastings, Johnson, Kreidler, Lundquist, Maxie, McDonald, Prince, Pruitt, Rinehart, Rust, Sanders, Scott, Smith, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams.

Not voting: Representative Wilson.

Engrossed Second Substitute House Bill No. 1103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish my vote to be recorded as "Yes" on Engrossed Second Substitute House Bill No. 1103. I was off the floor temporarily and missed the vote.

SIMEON R. WILSON, 10th District.

The Speaker declared the House at ease until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3617, by Committee on Education (originally sponsored by Senator Metcalf):

Implementing law relating to use of associated student body funds.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ehlers, McDonald, Nelson (G) and Taylor spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3617, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreydler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 3617, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 855,
SUBSTITUTE HOUSE BILL NO. 868,
SUBSTITUTE HOUSE BILL NO. 936.

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating the valuation of insurance and nonforfeiture of life insurance.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 5, 1982.)

Mr. Williams moved adoption of the committee amendment.

Mr. Williams spoke in favor of the amendment.

POINT OF ORDER

Mr. McGinnis: "Mr. Speaker, I'd like to challenge this amendment on the basis of scope and object, and the RCW's referred to in the title are expanded by the intent of the amendment."

SPEAKER'S RULING

The Speaker: "Reed's Rule 112 – Time for making objections, says '...objections to present action must be presented before consideration has been entered upon. After debate has begun or other action has been taken, it is too late.' The Speaker has been trying to consistently rule that once the opening remarks and opening speeches have been made, it is too late and not a timely objection. Therefore, Representative McGinnis, I would rule your point of order is not well taken."

The committee amendment was adopted.

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

Mr. Dawson spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4201 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreydler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Eng.

Substitute Senate Bill No. 4201 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4663, by Committee on Natural Resources (originally sponsored by Senator Gallagher):

Modifying the state timber sales program.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 57th Day, March 8, 1982.)

Mr. Chandler moved adoption of the committee amendment.

POINT OF PERSONAL PRIVILEGE

Mr. Chamberlain: "Mr. Speaker, my responsibility with a company that employs me includes the planning of extensions for state sales. I've applied for, and the company has received, an extension that will be affected by this bill. This causes a concern of conflict of interest. I would like a ruling from the Speaker as to the propriety of my voting on this bill."

SPEAKER'S RULING

The Speaker: "Representative Chamberlain, I would call your attention to Rule 1 of the Joint Rules—Conflict of Interest, which reads: 'A legislator has a personal interest which is in conflict with the proper discharge of legislative duties if the legislator has reason to believe or expect that a direct monetary gain or a direct monetary loss will be derived by reason of the legislator's official activity. However, a legislator that does not have a personal interest which is in conflict with the proper discharge of legislative duties if no benefit or detriment accrues to the legislator as a member of a business, profession, occupation, or group, to a greater extent than to any other member of such business, profession, occupation, or group.' The question you have posed to me would indicate that you do not have a greater interest than anyone else in that group, and I would therefore say that in the Speaker's opinion, you do not have a conflict of interest."

Mr. Lundquist moved adoption of the following amendment to the committee amendment:

On page 3, following line 27 insert a new subsection to read as follows:

"(4) The term 'purchaser' shall include any affiliate, subsidiary or parent company thereof."

POINT OF ORDER

Mr. McDonald: "These amendments we are going to deal with have a fiscal impact, and I don't think the body can properly evaluate them if they don't have the fiscal notes in front of them."

SPEAKER'S RULING

The Speaker: "Representative McDonald, in order to have a point of order, you must have a rule that requires a fiscal note on the various amendments. There is no such rule so you can have no point of order."

Mr. Lundquist spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Lundquist yielded to question by Mr. Padden.

Mr. Padden: "Representative Lundquist, since we don't have a fiscal note in front of us, I wonder if you would indicate whether there's any fiscal impact of this amendment at all?"

Mr. Lundquist: "It's my understanding that there is no fiscal impact to this state as a result of this amendment."

The amendment to the committee amendment was adopted.

Ms. Rosbach moved adoption of the following amendments by Representatives Rosbach, Lundquist, Martinis, Owen, Chandler and Scott to the committee amendment:

On page 3, line 34 after "and" strike "January 1, 1980," and insert "July 1, 1980, or any Lincoln day blowdown sales contracts purchased in 1980,"

On page 4, line 28 after "and" strike "January 1, 1980," and insert "July 1, 1980, or any Lincoln day blowdown sales contracts purchased in 1980,"

On page 5, line 14 after "and" strike "January 1, 1980:" and insert "July 1, 1980, or any Lincoln day blowdown sales contracts purchased in 1980:"

Ms. Rosbach spoke in favor of the amendments, and Mr. McDonald spoke against them.

POINT OF INQUIRY

Ms. Rosbach yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Rosbach, you said there were seventeen companies. Are any of those seventeen some of the 'Big Four' in the state of Washington?"

Ms. Rosbach: "No, Representative Taylor, not one."

Representatives Taylor and Sommers spoke against the amendments, and Representatives Scott, Garson, Becker, Nisbet, Chandler, Martinis, Williams, Fiske and King (J) spoke in favor of them.

Mr. Taylor again opposed the amendments, and Ms. Rosbach spoke again in favor of them.

The amendments were adopted.

Mr. Lundquist moved adoption of the following amendments by Representatives Lundquist, Rosbach, Martinis, Owen, Chandler and Scott to the committee amendment:

On page 4, line 24 after "Sec. 5." insert "(1)"

On page 5, following line 8 insert a new subsection to read as follows:

"(2) Any person extending a timber sale contract on which that person has paid extension fees prior to the effective date of this act is entitled to an equivalent extension of time without payment on that contract up to a maximum of one year per contract."

On page 5, line 10 after "(2)" strike "and (3)" and insert ", (3) and (4)"

Mr. Lundquist spoke in favor of the amendments, and Mr. McDonald spoke against them.

Mr. Lundquist spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Lundquist and others to the committee amendment to Engrossed Substitute Senate Bill No. 4663, and the amendment to the amendment was adopted by the following vote: Yeas, 74; nays, 23; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Grimm, Hankins, Hastings, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Brekke, Burns, Cantu, Chamberlain, Cole, Eng, Galloway, Garrett, Greengo, Heck, Kreidler, Lux, Maxie, McDonald, Nelson D., Padden, Rinehart, Rust, Sommers, Taylor, Valle.

Not voting: Representative Isaacson.

On motion of Mr. Nisbet, the following amendment by Representatives Nisbet and Lundquist to the committee amendment was adopted:

On page 4, line 38 after "to" strike "the final payment" and insert "payments"

Mr. McDonald moved adoption of the following amendment to the committee amendment:

On page 5, line 24 after "than" strike "fifteen" and insert "ten"

Representatives McDonald, Owen, Sommers, Greengo and Williams spoke in favor of the amendment to the committee amendment, and Representatives Lundquist, Nisbet and Martinis spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McDonald to the committee amendment to Engrossed Substitute Senate Bill No. 4663, and the amendment was not adopted by the following vote: Yeas, 40; nays, 56; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Bender, Brekke, Burns, Cantu, Chamberlain, Cole, Ellis, Eng, Galloway, Garrett, Greengo, Heck, Hine, King J., King R., Lux, Maxie, McDonald, Nelson D., Nelson G. A., Padden, Pruitt, Rinehart, Rust, Sanders, Sommers, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Wang, Williams.

Voting nay: Representatives Barr, Barrett, Becker, Berleen, Bickham, Bond, Brown, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Grimm, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nickell, Nisbet, North, O'Brien, Owen, Patrick, Rosbach, Salatino, Schmidt, Scott, Sherman, Smith, Stratton, Thompson, Vander Stoep, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Kreidler, Prince.

Mr. McDonald moved adoption of the following amendments to the committee amendment:

On page 6, beginning on line 3 strike all material down to and including "credits" on line 13 and insert "Credits"

On page 6, beginning on line 18 strike all material down to and including "timber." on line 31 and renumber the remaining subsection consecutively.

Representatives McDonald, Nelson (G) and King (R) spoke in favor of the amendments, and Representatives Chandler, Lundquist, Scott and Martinis spoke against them.

The amendments were not adopted.

Mr. King (R) moved adoption of the following amendment:

On page 6, following line 39 insert:

"(6) All timber covered by contracts made between January 1, 1978 and January 1, 1980 and defaulted pursuant to this section must be resold, harvested and processed in the United States within two years of the date of default, and resale contracts will so provide. Where timber formerly covered by a defaulted contract is resold the new contract may not be extended; if resold timber is not harvested and processed within two years the contract will be terminated, the defaulting buyer will be liable for loss of income to the state related to timber remaining unharvested, and payments made on the contract will be forfeited. The amount forfeited will be the percentage of total payment equal to the percentage of timber covered by the contract that remains unprocessed at the end of the two year period. 'Processed' means (1) sawed into lumber; (2) pulp and pulp products broken down to a condition of separation of wood fibers; (3) veneer or plywood; (4) poles, posts or pilings, cut and treated with preservative, intended for use as such and not intended to be processed further; (5) rendered into chips; or (6) rendered into shakes or shingles conforming to the uniform building code as in effect in this state. Any timber harvested but not processed at the end of the two year period remains the property of the owner at that time (the buyer of harvested timber paid for; the state of harvested timber not paid for)."

Mr. King (R) spoke in favor of the amendment to the amendment, and Representatives Owen, Nisbet and Rosbach spoke against it.

Mr. King (R) spoke again in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Lundquist.

Mr. Lundquist: "Representative Martinis, you've been involved in this issue for a number of years. What would you have to say about the constitutionality of this amendment as it relates to domestic processing?"

Mr. Martinis: "Representative Lundquist, the domestic processing issue, while I was chairman of the House Natural Resources Committee, was before the committee, and at that time the Honorable Slade Gorton was Attorney General, and I asked for an opinion from the Attorney General's office on the constitutionality of limiting state timber to only domestic processing rather than going to the export market. That opinion, at that time, in essence said it was unconstitutional. Last year, after the Alaska case on the domestic processing and on the question again of The Honorable Ken Eikenberry, now Attorney General of the State of Washington, and it was a much clearer opinion at that time—there is very definitely a constitutional question on requiring domestic processing only of state timber. The Alaska case was very clear, concise, very parallel to the bills that were before the House Natural Resources Committee. The Alaska case went to the U.S. District Court in Alaska and it was clearly ruled unconstitutional."

Mr. Lundquist spoke against the amendment.

Mr. Struthers demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative King (R) to the committee amendment to Engrossed Substitute Senate Bill No. 4663, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., King R., Kroidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., Nickell, North, O'Brien, Padden, Pruitt, Rust, Sherman, Stratton, Taylor, Valle, Van Dyken, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garrett, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, Owen, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Struthers, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Erak, Rinchart, Scott, Sommers.

Mr. McDonald moved adoption of the following amendment:

On page 5, beginning on line 9 strike all material down to and including "act." on page 6, line 39 and renumber the remaining sections consecutively.

Mr. McDonald spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Greengo, are there instances in case law that are roughly equivalent that would have something similar to a default portion, and what are they, and what was the outcome?"

Mr. Greengo: "Yes, Representative McDonald, there was a case in 1975 of Tacoma versus O'Brien, in which, due to the increase in the price of oil, firms bidding on road construction contracts were attempting to get out of their contracts, and the Washington State Legislature passed a law saying that if the prices of asphalt had risen by more than twenty percent, the state could elect either to let the firm out of its contract entirely or absorb eighty percent of the increase in the costs. This was thrown out of court based on the fact that it was an unconstitutional giving of the state's money."

Mr. Chandler spoke against the amendment to the committee amendment, and Mr. Williams spoke in favor of it.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Padden.

Mr. Padden: "Representative Greengo, apparently we are in the state's worst fiscal crisis since the Great Depression. I'm wondering what effect allowing default might have on the state's bond rating and our credit rating?"

Mr. Greengo: "Well, Representative Padden, all I know is what I've heard the bankers who have come in to talk to our various caucuses tell us—both the Seattle bankers and the ones from New York, and in addition, in September, I was back to a debt management conference. The message I got was that any action the state takes will be viewed in entirety, and if we're defaulting on moneys that could be coming in, or at least a portion of them that could be coming into the general fund, it certainly can't be a positive effect."

Mr. Padden spoke in favor of the amendment, and Representatives Taylor and Garson spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

The amendment to the amendment was not adopted.

Mr. Lundquist moved adoption of the following amendment by Representatives Lundquist, Rosbach, Martinis, Owen, Chandler and Scott to the committee amendment:

On page 6, following line 39 insert a new section to read as follows:

"NEW SECTION. Sec. 6. If a timber sale contract otherwise eligible for extension or default under sections 3 through 6 of this act is in default, it may be extended by paying the extension fee at the rate provided under the contract of sale from the date of the expiration of the contract, or from the date of the last extension, to the date of application for extension or default under sections 3 through 6 of this act."

Renumber the remaining sections consecutively and make any internal references accordingly.

Mr. Lundquist spoke in favor of the amendment to the amendment, and Mr. McDonald spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lundquist and others to page 6 of the committee amendment to Engrossed Substitute Senate Bill No. 4663, and the amendment to the amendment was adopted by the following vote: Yeas, 64; nays, 31; not voting, 3.

Voting yea: Representatives Amen, Barrett, Becker, Berleen, Bickham, Bond, Brown, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Grimm, Hankins, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Salatino, Schmidt, Scott, Sherman, Smith, Stratton, Struthers, Teutsch, Thompson, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Barnes, Barr, Bender, Brekke, Burns, Cantu, Cole, Eng, Galloway, Garrett, Greengo, Hastings, Heck, King R., Kreidler, Lux, McDonald, Nelson D., Nelson G. A., Padden, Rinehart, Rust, Sanders, Sommers, Sprague, Taylor, Tilly, Wang, Williams, and Mr. Speaker.

Not voting: Representatives Armstrong, Maxie, Valle.

The committee amendment as amended was adopted.

On motion of Mr. Hastings, the committee amendment to the title was adopted.

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

Representatives Lundquist, Sommers, Fiske, Dawson, Nisbet and Grimm spoke in favor of passage of the bill, and Representatives Taylor, Lux, Williams and McDonald spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4663 as amended by the House, and the bill passed the House by the following vote: Yeas, 68; nays, 30; not voting, 0.

Voting yea: Representatives Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Brekke, Brown, Chandler, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fiske, Flanagan, Gallagher, Garson, Granlund, Grimm, Hankins, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rosbach, Rust, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barr, Bickham, Bond, Burns, Cantu, Chamberlain, Clayton, Cole, Eng, Fancher, Galloway, Garrett, Greengo, Hastings, Heck, King J., Kreidler, Lux, McDonald, Nelson D., Nickell, Padden, Prince, Rinehart, Sanders, Taylor, Van Dyken, Williams.

Engrossed Substitute Senate Bill No. 4663 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4824, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Zimmerman and Peterson):

Providing separate chapters of laws of aquatic lands.

The bill was read the second time.

Committee on Natural Resources and Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 53rd Day, March 4, 1982.)

Committee on Appropriations - General Government recommendation: Majority, do pass with the amendments recommended by Committee on Natural Resources and Environmental Affairs with the exception of the amendment to page 100 and as further amended by Committee on Appropriations - General Government. (For amendment, see Journal, 57th Day, March 8, 1982.)

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

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

On page 108 after line 18 add sections as follows:

***NEW SECTION.** Sec. 185. Sections 176 and 178 of this act are necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 186. Except as provided in section 185 of this act, this act shall take effect July 1, 1983.*

Representatives Martinis and Wilson spoke in favor of the amendment, and it was adopted.

Mr. Dawson moved adoption of the following amendment:

On page 101, after line 18 insert the following:

"**NEW SECTION.** Sec. 178. There is added to chapter 79.01 RCW a new section to read as follows: When state aquatic lands and harbor areas are used or leased for a dock to be used for personal recreational use by the upland owner, no rent or fee of any nature shall be charged."

Mr. Dawson spoke in favor of the amendment, and Mr. Greengo spoke against it.

POINT OF INQUIRY

Mr. Dawson yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Dawson, you referred to the current practice of the department with regard to these leases and rentals. Is that practice established in the statutes or in the administrative code?"

Mr. Dawson: "Representative Thompson, I'm unsure as to the last part; however, the information I have is that the Department of Natural Resources, in this last year, attempted to establish lease fees or rental fees for private docks. They took that particular measure to the Legislative Review Committee for their approval, so I assume that we did not have statutory authority or lacked authority to do so. They were turned down, I understand, by the Legislative Review Committee."

Mr. Thompson spoke against the amendment, and Mr. Martinis spoke in favor of it.

The amendment was adopted.

On motion of Ms. Rosbach, the committee amendments to the title were adopted.

On motion of Mr. Martinis, the following amendment to the title was adopted:

On page 7, the last line of the title, insert "; declaring an emergency; providing an effective date;"

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4824 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 11; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Chandler, Cole, Eng, Garrett, Greengo, Kreidler, Lux, Rinchart, Wang.

Substitute Senate Bill No. 4824 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	SUBSTITUTE HOUSE BILL NO.	15,
	SUBSTITUTE HOUSE BILL NO.	40,
	SUBSTITUTE HOUSE BILL NO.	58,
SECOND	SUBSTITUTE HOUSE BILL NO.	378,
	HOUSE BILL NO.	381,
	SUBSTITUTE HOUSE BILL NO.	419,
	SUBSTITUTE HOUSE BILL NO.	452,
	SUBSTITUTE HOUSE BILL NO.	593,
	HOUSE BILL NO.	621,
	SUBSTITUTE HOUSE BILL NO.	663,
	HOUSE BILL NO.	728,

HOUSE BILL NO. 745,
 SUBSTITUTE HOUSE BILL NO. 762,
 SUBSTITUTE HOUSE BILL NO. 837,
 HOUSE BILL NO. 859,
 SUBSTITUTE HOUSE BILL NO. 874,
 HOUSE BILL NO. 907,
 SUBSTITUTE HOUSE BILL NO. 1011.

MESSAGES FROM THE SENATE

March 10, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 848,
 ENGROSSED HOUSE BILL NO. 999,
 HOUSE BILL NO. 1174,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE JOINT MEMORIAL NO. 118,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate has concurred in the House amendment(s) to the following Senate bills, and has passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 4561,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4684,
 SENATE BILL NO. 4706,
 SUBSTITUTE SENATE BILL NO. 4859,
 SENATE BILL NO. 4909.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 855,
 SUBSTITUTE HOUSE BILL NO. 868,
 SUBSTITUTE HOUSE BILL NO. 936,
 SENATE BILL NO. 3587,
 SUBSTITUTE SENATE BILL NO. 3913,
 SENATE BILL NO. 4366,
 SENATE BILL NO. 4691,
 SENATE BILL NO. 4749,

SENATE CONCURRENT RESOLUTION NO. 146,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4786, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate has granted the request of the House for conference on ENGROSSED SENATE BILL NO. 4748, and has appointed the following Senators to the Conference Committee: Senators Benitz, Quigg, Vognild.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

March 10, 1982

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4559 as amended by the House, modifying the state forms management program, have had the same under consideration and we report that we cannot agree and request powers of Free Conference in order to recommend that the House amendment be adopted with additional amendments to the House amendment.

Signed by Senators Lee, Metcalf, Rasmussen; Representatives Addison, Walk, McGinnis.

MOTION

On motion of Mr. Addison, the report of the Conference Committee on Engrossed Senate Bill No. 4559 as amended by the House was adopted, and the committee was granted powers of Free Conference.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 851 with the following amendments:

On page 1, after line 5 insert the following:

NEW SECTION. Section 1. The secretary of social and health services may promulgate rules, pursuant to chapter 34.04 RCW, defining mental handicap and physical handicap. This section and any rules adopted under this section shall expire March 1, 1983.

NEW SECTION. Sec. 2. The department of social and health services shall develop a proposal for a new statutory definition for developmental disabilities to be presented to the legislature by January 1, 1983.

NEW SECTION. Sec. 3. There is added to chapter 71.20 RCW a new section to read as follows:

Persons 'developmentally disabled' as used in this chapter are those persons having a 'developmental disability' as defined in Public Law 91-517, 42 USCA 2691(1), as amended.

NEW SECTION. Sec. 4. Section 3 of this act shall take effect March 1, 1983."

Renumber the remaining section consecutively

On page 1, following line 7 insert a new section to read as follows:

NEW SECTION. Sec. 2. There is added to chapter 71.20 RCW a new section to read as follows:

Prior to the development of a new statutory definition by the department of social and health services the term 'developmental disability' shall mean a disability attributable to mental retardation, cerebral palsy, epilepsy, or another neurological condition of an individual found by the secretary (of Health and Human Services) to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual."

Renumber the remaining sections consecutively.

On page 1, line 3 of the title after "services;" strike "and" and insert "adding a new section to chapter 71.20 RCW; creating new sections;"

On page 1, line 4 of the title after "71.20.015" and before the period insert "; providing an effective date; and providing an expiration date"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Mitchell, the House concurred in the Senate amendments to House Bill No. 851.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 851 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 851 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Ehlers, Garrett.

House Bill No. 851 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 864 with the following amendments:

On page 1, line 6 after "following" strike "nine" and insert "eleven"

On page 1, line 8 after "legislature," strike "an attorney" and insert "three attorneys at least two whose primary area of legal practice is trial work" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to House Bill No. 864.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 864 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 864 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Patrick, Schmidt.

House Bill No. 864 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1024 with the following amendments:

On page 1, line 15 after "RCW 82.04.385" insert ", if the agencies or departments are located within a reasonable distance from the sheltered workshops, training centers, or group training homes"

On page 1, line 15 after "385." insert "State agencies and departments may purchase microfilming and related services from day training centers, group training homes or sheltered workshops. All microfilming and related services purchased under this section shall be purchased at a price equal to or less than the fair market value."

On page 1, line 18 after "copiers" insert ", in-house printing and binding facilities," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Substitute House Bill No. 1024.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1024 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1024 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 1024 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1063 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.20.010 are each amended to read as follows:

Upon application in the prescribed form being made to any employee authorized by the board to issue permits, accompanied by payment of the prescribed fee, and upon the employee being satisfied that the applicant should be granted a permit under this title, the employee shall issue to the applicant under such regulations and at such fee as may be prescribed by the board a permit of the class applied for, as follows:

(1) Where the application is for a special permit by a physician or dentist, or by any person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, a special liquor purchase permit;

(2) Where the application is for a special permit by a person engaged within the state in mechanical or manufacturing business or in scientific pursuits requiring alcohol for use therein, or by any private individual, a special permit to purchase alcohol for the purpose named in the permit;

(3) Where the application is for a special permit to consume liquor at a banquet, at a specified date and place, a special permit to purchase liquor for consumption at such banquet, to such applicants as may be fixed by the board;

(4) Where the application is for a special permit to consume liquor on the premises of a business not licensed under this title, a special permit to purchase liquor for consumption thereon for such periods of time and to such applicants as may be fixed by the board;

(5) Where the application is for a special permit by a manufacturer to import alcohol, malt, and other materials containing alcohol to be used in the manufacture of liquor, or other products, a special import permit;

((5)) (6) Where the application is for a special permit by a person operating a drug store to purchase liquor at retail prices only, to be thereafter sold by such person on the prescription of a physician, a special liquor purchase permit;

((6)) (7) Where the application is for a special permit by an authorized representative of a military installation operated by or for any of the armed forces within the geographical boundaries of the state of Washington, a special permit to purchase liquor for use on such military installation at prices to be fixed by the board;

((7)) (8) Where the application is for a special permit by a manufacturer, importer, wholesaler, or agent thereof, to serve liquor without charge to delegates and guests at a convention of a trade association composed of licensees of the board, when the said liquor is served in a hospitality room or from a booth in a

board-approved suppliers' display room at the convention, and when the liquor so served is for consumption in the said hospitality room or display room during the convention, anything in Title 66 RCW to the contrary notwithstanding. Any such spirituous liquor shall be purchased from the board or a class H licensee and any such beer and wine shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

((#)) (9) Where the application is for a special permit by a manufacturer, importer, wholesaler, or agent thereof, to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at a convention of a trade association composed of licensees of the board, when the liquor so donated is for consumption at the said reception, breakfast, luncheon, or dinner during the convention, anything in Title 66 RCW to the contrary notwithstanding. Any such spirituous liquor shall be purchased from the board or a class H licensee and any such beer and wine shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210.

Sec. 2. Section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.010 are each amended to read as follows:

(1) Every license shall be issued in the name of the applicant, and the holder thereof shall not allow any other person to use the license.

(2) For the purpose of considering any application for a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the construction and operation of the premises. For the purpose of reviewing any application for a license and for considering the denial, suspension or revocation of any license, the liquor control board may consider any prior criminal conduct of the applicant and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases. The board may, in its discretion, grant or refuse the license applied for. No retail license of any kind may be issued to:

(a) A person who has not resided in the state for at least one month prior to making application, except in cases of licenses issued to dining places on railroads, boats, or aircraft;

(b) A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;

(c) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;

(d) A corporation, unless it was created under the laws of the state of Washington or holds a certificate of authority to transact business in the state of Washington.

(3) The board may, in its discretion, subject to the provisions of RCW 66.08.150, suspend or cancel any license; and all rights of the licensee to keep or sell liquor thereunder shall be suspended or terminated, as the case may be. The board may request the appointment of administrative law judges under chapter 34.12 RCW who shall have power to administer oaths, issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony, examine witnesses, and to receive testimony in any inquiry, investigation, hearing, or proceeding in any part of the state, under such rules and regulations as the board may adopt.

Witnesses shall be allowed fees and mileage each way to and from any such inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.04.105, as now or hereafter amended. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

In case of disobedience of any person to comply with the order of the board or a subpoena issued by the board, or any of its members, or administrative law judges, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, the judge of the superior court of the county in which the person resides, on application of any member of the board or administrative law judge, shall compel obedience by contempt proceedings, as in the case of disobedience of the requirements of a subpoena issued from said court or a refusal to testify therein.

(4) Upon receipt of notice of the suspension or cancellation of a license, the licensee shall forthwith deliver up the license to the board. Where the license has been suspended only, the board shall return the license to the licensee at the expiration or termination of the period of suspension, with a memorandum of the suspension written or stamped upon the face thereof in red ink. The board shall notify all vendors in the city or place where the licensee has its premises of the suspension or cancellation of the license; and no employee may allow or cause any liquor to be delivered to or for any person at the premises of that licensee.

(5) The board shall assign to each business an expiration date for all licenses or certificates of approval covered by this title. Following the assignment, unless sooner canceled, every license or certificate of approval issued by the board shall expire at midnight of the last day of the month on the twelfth month subsequent to issue.

(a) Each business shall be assigned a license or certificate of approval expiration date according to the schedule following below in this subsection. Fees for such licenses or certificates of approval shall be charged at full annual rate as outlined in chapter 66.24 RCW. The board shall prorate license or certificate of approval fees as necessary to implement the reassignment of expiration dates and to maintain the date assignment of each.

(i) New applicants; last day of the month of approval and issuance.

(ii) Existing business; distributed evenly on a monthly basis throughout the year.

(iii) New businesses; expiration date shall be adjusted as required to conform to a date simultaneous to the majority of the applicant's business branches.

(iv) Supplemental license(s); shall expire on the same date as the master.

(b) The board will consider requests from applicants for exceptions to assigned renewal dates. Approval shall be at the discretion of the board.

(c) All applications shall be submitted with a full year's fee for the type of license or certificate of approval for which the type of application is intended.

(d) All licenses or certificates of approval presently issued and covered under this title unless sooner discontinued or canceled shall be assigned not later than July 1, 1983, a license expiration date.

(e) Licenses issued under the provisions of RCW 66.24.310, as now or hereafter amended, are excluded from provisions of this subsection and unless sooner canceled shall expire at midnight of the thirtieth day of June of the fiscal year for which issued.

(6) Every license issued under this section shall be subject to all conditions and restrictions imposed by this title or by the regulations in force from time to time.

(7) Every licensee shall post and keep posted its license, or licenses, in a conspicuous place on the premises.

(8) Before the board shall issue a license to an applicant it shall give notice of such application to the chief executive officer of the incorporated city or town, if the application be for a license within an incorporated city or town, or to the county legislative authority, if the application be for a license outside the boundaries of incorporated cities or towns; and such incorporated city or town, through the official or employee selected by it, or the county legislative authority or the official or employee selected by it, shall have the right to file with the board within twenty days after date of transmittal of such notice, written objections against the applicant or against the premises for which the license is asked, and shall include with such objections a statement of all facts upon which such objections are based, and in case written objections are filed, may request and the liquor control board may in its discretion hold a formal hearing subject to the applicable provisions of Title 34 RCW, as now or hereafter amended. Upon the granting of a license under this title the board shall send a duplicate of the license or written notification to the chief executive officer of the incorporated city or town in which the license is granted, or to the county legislative authority if the license is granted outside the boundaries of incorporated cities or towns.

(9) Before the board issues any license to any applicant, it shall give (a) due consideration to the location of the business to be conducted under such license with respect to the proximity of churches, schools, and public institutions (~~(-PROVIDED, That))~~ and (b) written notice by certified mail of the application to churches, schools, and public institutions within five hundred feet of the premises to be licensed. The board shall issue no beer retailer license class A, B, D, or E or wine retailer license class C or F or class H license covering any premises not now licensed, if such premises are within five hundred feet of the premises of any church, parochial, or tax-supported public elementary or secondary school measured along the most direct route over or across established public walks, streets, or other public passageway from the outer property line of the church or school grounds to the nearest public entrance of the premises proposed for license, (~~(unless))~~ and if, after receipt by the school, church, or public institution of the notice as provided in this subsection, the board ((staff)) receives written notice, within twenty days after posting such notice, from an official representative or representatives of the schools and/or churches within five hundred feet of said proposed licensed premises, indicating to the board that there is ((no)) an objection to the issuance of such license because of proximity to a school or church. For the purpose of this section, church shall mean a building erected for and used exclusively for religious worship and schooling or other activity in connection therewith.

(10) The restrictions set forth in the preceding subsection shall not prohibit the board from authorizing the transfer of existing licenses now located within the restricted area to other persons or locations within the restricted area: PROVIDED, Such transfer shall in no case result in establishing the licensed premises closer to a church or school than it was before the transfer.

NEW SECTION. Sec. 3. There is added to chapter 66.24 RCW a new section to read as follows:

(1) The board may, in its discretion, issue a class H license to a business which qualifies as a 'restaurant' as that term is defined in RCW 66.24.410 in all respects except that the business does not serve the general public but, through membership qualification, selectively restricts admission to the business. For purposes of RCW 66.24.400 and 66.24.420, all licenses issued under this section shall be considered class H restaurant licenses and shall be subject to all requirements, fees, and qualifications in this title, or in rules adopted by the board, as are applicable to class H restaurant licenses generally except that no service to the general public may be required.

(2) No license shall be issued under this section to a business:

(a) Which shall not have been in continuous operation for at least one year immediately prior to the date of its application; or

(b) Which denies membership or admission to any person because of race, creed, color, national origin, sex, or the presence of any sensory, mental, or physical handicap.

Sec. 4. Section 23-C, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 31, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.170 are each amended to read as follows:

(1) There shall be a license to domestic wineries; fee to be computed only on the liters manufactured: One hundred thousand liters or less per year, one hundred dollars per year; over one hundred thousand liters to seven hundred fifty thousand liters per year, four hundred dollars per year; and over seven hundred fifty thousand liters per year, eight hundred dollars per year.

(2) Any applicant for a domestic winery license shall, at the time of filing application for license, accompany such application with a license fee based upon a reasonable estimate of the amount of wine liters

to be manufactured by such applicant. Persons holding domestic winery licenses shall report annually at the end of each fiscal year, at such time and in such manner as the board may prescribe, the amount of wine manufactured by them during the fiscal year. If the total amount of wine manufactured during the year exceeds the amount permitted annually by the license fee already paid the board, the licensee shall pay such additional license fee as may be unpaid in accordance with the schedule provided in this section.

(3) Any domestic winery licensed under this section shall also be considered as holding, for the purposes of selling wines of its own production, a current wine wholesaler's license under RCW 66.24.200 and a wine retailer's license, class F, under RCW 66.24.370 without further application or fee. Any winery operating as a wholesaler or retailer under this subsection shall comply with the applicable laws and rules relating to such wholesalers and retailers.

Sec. 5. Section 23-B added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 13, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.240 are each amended to read as follows:

There shall be a license to brewers to manufacture malt liquors, fee per annum to be based on current fiscal year's production at the rate of fifty dollars per thousand barrels, with a maximum fee of two thousand dollars, such license fee to be collected and paid under such rules and regulations as the board shall prescribe.

Sec. 6. Section 9, chapter 178, Laws of 1969 ex. sess. as last amended by section 1, chapter 287, Laws of 1981 and by section 46, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.500 are each reenacted and amended to read as follows:

There shall be a wine retailer's license to be designated as class J; a special license to a society or organization to sell wine at special occasions at a specified date and place; fee twenty dollars per day. Sale, service, and consumption of wine is to be confined to specified premises or designated areas only: PROVIDED, That a holder of a class J license shall be permitted to sell at no more than two licensed events each year to members and guests in attendance at the special occasion limited quantities of wine in unopened bottles and original packages, not to be consumed on the premises where sold, by paying an additional fee of ten dollars per day((-PROVIDED FURTHER, That no more than two class J licenses shall be issued to any one nonprofit organization during the calendar year)). The board shall adopt appropriate regulations pursuant to chapter 34.04 RCW for the purpose of carrying out the provisions of this section.

Sec. 7. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010 are each amended to read as follows:

(1) No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest((-nor shall any)). Except as provided in subsection (3) of this section, no manufacturer, importer, or wholesaler shall advance moneys or moneys' worth to ((any such)) a licensed person under ((any)) an arrangement ((whatsoever)), nor shall ((any)) such licensed person receive, under ((any)) an arrangement ((whatsoever, any such)), an advance of moneys or moneys' worth: PROVIDED, That 'person' as used in this section only shall not include those state or federally chartered banks, state or federally chartered savings and loan associations, state or federally chartered mutual savings banks, or institutional investors which are not controlled directly or indirectly by a manufacturer, importer, or wholesaler as long as the bank, savings and loan association, or institutional investor does not influence or attempt to influence the purchasing practices of the retailer with respect to alcoholic beverages. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW.

(2) Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe.

(3)(a) This section does not prohibit a manufacturer, importer, or wholesaler from providing services to a class G or J retail licensee for: (i) Installation of draft beer dispensing equipment or advertising, (ii) advertising, pouring or dispensing of wine at a wine tasting exhibition or judging event, or (iii) a class G or J

retail licensee from receiving any such services as may be provided by a manufacturer, importer, or wholesaler: PROVIDED, That nothing in this section shall prohibit a retail licensee, or any person financially interested, directly or indirectly, in such a retail licensee from having a financial interest, direct or indirect, in a business which provides, for a compensation commensurate in value to the services provided, bottling, canning or other services to a manufacturer, so long as the retail licensee or person interested therein has no direct financial interest in or control of said manufacturer.

(b) The board shall adopt such rules as are deemed necessary to carry out the purposes and provisions of subsection (3)(a) of this section in accordance with the administrative procedure act, chapter 34.04 RCW.

NEW SECTION. Sec. 8. There is added to chapter 66.12 RCW a new section to read as follows:

(1) Nothing in this title shall prevent the use of beer, wine, and/or spirituous liquor, for cooking purposes only, in conjunction with a culinary or restaurant course offered by a college, university, community college, area vocational technical institute, or private vocational school. Further, nothing in this title shall prohibit the making of beer or wine in food fermentation courses offered by a college, university, community college, area vocational technical institute, or private vocational school.

(2) 'Culinary or restaurant course' as used in this section means a course of instruction which includes practical experience in food preparation under the supervision of an instructor who is twenty-one years of age or older.

(3) Persons under twenty-one years of age participating in culinary or restaurant courses may handle beer, wine, or spirituous liquor for purposes of participating in the courses, but nothing in this section shall be construed to authorize consumption of liquor by persons under twenty-one years of age or to authorize possession of liquor by persons under twenty-one years of age at any time or place other than while preparing food under the supervision of the course instructor.

(4) Beer, wine, and/or spirituous liquor to be used in culinary or restaurant courses shall be purchased at retail from the board or a retailer licensed under this title. All such liquor shall be securely stored in the food preparation area and shall not be displayed in an area open to the general public.

(5) Colleges, universities, community colleges, area vocational technical institutes, and private vocational schools shall obtain the prior written approval of the board for use of beer, wine, and/or spirituous liquor for cooking purposes in their culinary or restaurant courses.

NEW SECTION. Sec. 9. There is added to chapter 66.12 RCW a new section to read as follows:

Nothing in this title shall apply to or prevent a hospital, as defined in RCW 70.39.020, or a nursing home as defined in RCW 18.51.010, from offering or supplying without charge beer or wine by the individual glass to any patient, member of a patient's family, or patient visitor, for consumption on the premises: PROVIDED, That such patient, family member, or visitor shall be at least twenty-one years of age, and that the beer or wine shall be purchased under this title.

NEW SECTION. Sec. 10. There is added to chapter 66.24 RCW a new section to read as follows:

There shall be a special gift wine service retailer's license to be designated as class P to solicit, take orders for, sell and deliver wine in bottles and original packages to persons other than the person placing the order. A class P license may be issued only to a business solely engaged in the delivery of gifts at retail which holds no other class of license under this title. The fee for this license is seventy-five dollars per year. Delivery of wine under a class P license shall be made in accordance with all applicable provisions of this title and the rules of the board, and no wine so delivered shall be opened on any premises licensed under this title. A class P license does not authorize door-to-door solicitation of gift wine delivery orders or the delivery of more than one bottle of wine to the same address in any twenty-four hour period.

Sec. 11. Section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.050 are each amended to read as follows:

No person shall canvass for, solicit, receive, or take orders for the purchase or sale of any liquor, or act as agent for the purchase or sale of liquor except as authorized by RCW 66.24.310 as now or hereafter amended or by section 10 of this 1982 act. Nothing in this section contained shall apply to agents dealing with the board or to the receipt or transmission of a telegram or letter by any telegraph agent or operator or post office employee in the ordinary course of his employment as such agent, operator or employee.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 48, Laws of 1945, section 12, chapter 178, Laws of 1969 ex. sess., section 1, chapter 275, Laws of 1969 ex. sess., section 1, chapter 23, Laws of 1979 ex. sess. and RCW 66.28.020; and
(2) Section 14, chapter 21, Laws of 1969 ex. sess., section 3, chapter 275, Laws of 1969 ex. sess., section 7, chapter 173, Laws of 1975 1st ex. sess., section 1, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.025.

NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "beverages;" strike the remainder of the title and insert "amending section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.20.010; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.010; amending section 23-C, added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 31, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.170; amending section 23-B added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 13, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.240; reenacting and amending section 9, chapter 178, Laws of 1969 ex. sess. as last amended by section 1, chapter 287, Laws of 1981 and by section 46, chapter 5, Laws of 1981 1st

ex. sess. and RCW 66.24.500; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 219, Laws of 1977 ex. sess. and RCW 66.28.010; amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 74, Laws of 1975-'76 2nd ex. sess. and RCW 66.28-.050; adding new sections to chapter 66.12 RCW; adding new sections to chapter 66.24 RCW; repealing section 2, chapter 48, Laws of 1945, section 12, chapter 178, Laws of 1969 ex. sess., section 1, chapter 275, Laws of 1969 ex. sess., section 1, chapter 23, Laws of 1979 ex. sess. and RCW 66.28.020; repealing section 14, chapter 21, Laws of 1969 ex. sess., section 3, chapter 275, Laws of 1969 ex. sess., section 7, chapter 173, Laws of 1975 1st ex. sess., section 1, chapter 62, Laws of 1975-'76 2nd ex. sess. and RCW 66.28.025; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1063.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1063 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1063 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, King J., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Valle, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Cole, Ehlers, Eng, Galloway, Garrett, Granlund, Grimm, Johnson, Kaiser, King R., Kreidler, Lux, Pruitt, Rust, Sherman, Stratton, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Winsley.

Not voting: Representative Ellis.

Engrossed Substitute House Bill No. 1063 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 9, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 931 with the following amendments:

On page 1, line 19 strike "equal to" and insert "~~((equal to))~~ not to exceed"

On page 2, line 15 after "contractor" insert "; PROVIDED, That the contractor may request that retainage be reduced to one hundred percent of the value of the work remaining on the project"

On page 3, line 7 after "contractor" insert "or subcontractor"

On page 3, line 8 after "subcontractor" insert "or sub-subcontractor"

On page 3, line 11 after "contractor" insert "or subcontractor"

On page 3, line 11 after "subcontractor" insert "or sub-subcontractor"

On page 3, line 12 after "contractor" insert "or subcontractor"

On page 3, line 12 after "to the subcontractor" insert "or sub-subcontractor"

On page 3, line 13 after "contractor" insert "or subcontractor"

On page 3, line 15 after "(4)" insert "With the consent of the public body"

On page 3, line 15 after "for" strike "the full" and insert "all or any portion of the"

On page 3, line 17 after "Such" strike "bonds" and insert "bond"

On page 3, line 20 after "release" insert "the bonded portion of"

On page 3, line 21 after "within" strike "fifteen" and insert "thirty"

On page 3, line 27 after "within" strike "fifteen" and insert "thirty"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Substitute House Bill No. 931.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 931 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 931 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 931 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 22 with the following amendments:

On page 2, line 24 after "including" strike "smokeless gunpowder,"

On page 2, line 27 after "ammunition" insert "and handloader components" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Engrossed House Bill No. 22.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 22 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 22 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Sherman, Walk, Warnke.

Engrossed House Bill No. 22 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 8, 1982

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 768 with the following amendments:

On page 3, after line 23 insert the following:

"NEW SECTION. Sec. 3. There is appropriated from the general fund to the department of corrections for the biennium ending June 30, 1983, the sum of one hundred forty-eight thousand dollars, including 2.2 full time equivalent staff years, or so much thereof as may be necessary, to carry out the purposes of sections 1 and 2 of this act."

Renumber the sections consecutively.

On page 1, line 3 of the title, after "RCW;" strike "and"

On page 1, line 4 of the title, after "penalties" and before the period insert "; and making an appropriation" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Houchen, the House concurred in the Senate amendments to Reengrossed House Bill No. 768.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Reengrossed House Bill No. 768 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 768 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 8; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Cole, Ehlers, Greengo, Kaiser, Padden, Rinehart, Stratton.

Not voting: Representative McGinnis.

Reengrossed House Bill No. 768 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 902 with the following amendments:

On page 15, after line 19 insert a section as follows:

"Sec. 17. Section .05.31, chapter 79, Laws of 1947 and RCW 48.05.310 are each amended to read as follows:

(1) An insurer appointing any person as its general agent or manager to represent it as such in this state shall file notice of the appointment with the commissioner on forms prescribed and furnished by the commissioner.

(2) Any such general agent or manager shall have such authority, consistent with this code, as may be conferred by the insurer. A general agent resident in this state and licensed, as in this section provided, may exercise the powers conferred by this code upon agents licensed for the kinds of insurance which the general agent is authorized to transact for the insurer so appointing him.

(3) Any such general agent may accept applications for insurance from licensed agents who are not appointed by the insurer of such general agent where the risk involved is placed in a nonstandard or specialty market of an authorized insurer as defined by regulation of the commissioner. Such nonstandard or specialty business shall not be bound by any agent not appointed by the insurer. A general agent may supply such licensed, nonappointed agent with material to write nonstandard or specialty insurance business including, but not limited to, applications for insurance, underwriting criteria, and rates. A general agent shall not provide any licensed, nonappointed agent with indicia of authority to bind an insurance risk and the general

agent and nonappointed agent shall provide written disclaimers of binding authority to an applicant or prospective insured in such form as prescribed by the commissioner.

(4) The appointment of a resident general agent shall not be effective unless the person so appointed is licensed as the general agent of such insurer by the commissioner upon application and payment of the fee therefor as provided in RCW 48.14.010.

~~((4))~~ (5) Every such license shall expire as at close of business on the thirty-first day of March next following the date of issue, and may be renewed for an additional year upon application and payment of the fee therefor.

~~((5))~~ (6) The commissioner may deny, suspend, or revoke any such license for any cause specified in RCW 48.17.530 and in the manner provided in RCW 48.17.540."

Renumber remaining sections consecutively

On page 15, after line 19, insert a section as follows:

"Sec. 17. Section .30.11, chapter 79, Laws of 1947 and RCW 48.30.110 are each amended to read as follows:

(1) No insurer or fraternal benefit society doing business in this state shall directly or indirectly pay or use, or offer, consent, or agree to pay or use any money or thing of value for or in aid of ~~((any political party, nor for or in aid of))~~ any candidate for ~~((political office, nor for the nomination for such))~~ the office of insurance commissioner; nor for reimbursement or indemnification of any person for money or property so used.

(2) Any individual who violates any provision of this section, or who participates in, aids, abets, advises, or consents to any such violation, or who solicits or knowingly receives any money or thing of value in violation of this section, shall be guilty of a gross misdemeanor and shall be liable to the insurer or society for the amount so contributed or received."

Renumber the remaining sections consecutively

On page 15, after line 19, insert a section as follows:

"NEW SECTION. Sec. 17. There is added to chapter 48.23 RCW a new section to read as follows:

(1) Life insurance and annuity policy forms of the following types shall be defined and designated as participating forms of insurance only if they contain a provision for participation in the insurer's surplus, and shall be defined and designated as nonparticipating forms if they do not contain a provision for participation in the insurer's surplus:

(a) Forms which provide that the premium or consideration at the time of issue and subsequent premiums or considerations will be established by the insurer based on current, or then current, projected assumptions for such factors as interest, mortality, persistency, expense, or other factors, subject to a maximum guaranteed premium or premiums set forth in the policy; and

(b) Forms (except those for variable life insurance and variable annuity plans which are subject to chapter 48.18A RCW) which provide that their premiums or considerations are credited to an account to which interest is credited, and from which the cost of any life insurance or annuity benefits or other benefits or specified expenses are deducted.

(2) The commissioner may by regulation further clarify the definitions and requirements contained in subsection (1) of this section, and may classify any other types of forms as participating or nonparticipating, consistent therewith."

Renumber the remaining sections consecutively

On page 15, after line 19, insert sections as follows:

"NEW SECTION. Sec. 17. This chapter shall be known as the specified disease insurance act and is intended to govern the content and sale of specified disease insurance as defined in this chapter. This chapter applies in addition to, rather than in place of, other requirements of Title 48 RCW. It is the intent of the legislature to guarantee that specified disease policies issued, delivered, or used in this state provide a reasonable level of benefits to the policyholders. This chapter shall be applied broadly to ensure achievement of its aim.

NEW SECTION. Sec. 18. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Specified disease policy' refers to any insurance policy or contract which provides benefits to a policyholder only in the event that the policyholder contracts the disease or diseases specifically named in the policy.

(2) 'Loss ratio' means the incurred claims as a percentage of the earned premium, computed under rules adopted by the commissioner. Earned premiums and incurred claims shall be computed under rules adopted by the commissioner.

NEW SECTION. Sec. 19. (1) Commencing with reports for the accounting periods beginning on or after July 1, 1983, specified disease policies shall be expected to return to policy holders in the form of aggregate loss ratios under the policy:

(a) At least seventy-five percent of the earned premiums in the case of group policies; and

(b) At least sixty percent of the earned premiums in the case of individual policies.

(2) For the purpose of this section, specified disease insurance policies issued as a result of solicitation of individuals through the mail or mass media advertising, including both print and broadcast advertising, shall be treated as individual policies.

(3) By July 1, 1983, the commissioner shall adopt rules sufficient to accomplish the provisions of this section.

NEW SECTION. Sec. 20. By July 1, 1983, the commissioner shall adopt all rules necessary to ensure that specified disease policies provide a reasonable level of benefits to policyholders, and that purchasers and potential purchasers of such policies are fully informed of the level of benefits provided.

NEW SECTION. Sec. 21. This chapter shall apply to all policies issued on or after July 1, 1983. This chapter shall not apply to services provided by health care service contractors as defined in RCW 48.44.010.

NEW SECTION. Sec. 22. Sections 17 through 21 of this act shall constitute a new chapter in Title 48 RCW."

Renumber the remaining sections consecutively

On page 15, after line 19, insert a section as follows:

"**NEW SECTION.** Sec. 17. Section 15 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect May 1, 1982."

Renumber the remaining sections consecutively

On page 1, line 5 of the title, after "48.04.020;" insert "amending section .05.31, chapter 79, Laws of 1947 and RCW 48.05.310;"

On page 1, line 25 of the title, after "48.24.035;" insert "amending section .30.11, chapter 79, Laws of 1947 and RCW 48.30.110;"

On page 1, line 27 of the title, after "48.18A RCW;" insert "adding a new chapter to Title 48 RCW;"

On page 1, line 27 of the title, after "48.18A RCW;" strike "and"

On page 1, line 27 of the title, after "48.18A RCW;" insert "adding a new section to chapter 48.23 RCW;"

On page 1, line 28 of the title, after "48.44.025" and before the period insert "; declaring an emergency; and providing an effective date"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Dawson moved that the House do concur in the Senate amendments to Substitute House Bill No. 902.

Representatives Dawson and Lux spoke in favor of the motion, and Mr. Heck spoke against it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 902 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 902 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Cole, Eng, King J., Lundquist, Rinehart, Scott.

Substitute House Bill No. 902 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 9, 1982

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED HOUSE BILL NO. 183, insists on its position, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Garson moved that the House recede from its position and concur in the Senate amendments to Engrossed House Bill No. 183.

The motion carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 183 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 183 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Gallagher.

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

SECOND READING

HOUSE BILL NO. 1141, by Representatives Armstrong, Chandler, King (J), Fiske, Stratton, Lewis, Grimm, Valle, Scott, Eng, Bender, Lux, Salatino, Sommers, Patrick, Rinehart, Kaiser, Erak, Monohon, Warnke, Williams, Heck, Johnson and Wang:

Providing for the establishment of export assistance centers.

The bill was read the second time. On motion of Mr. Struthers, Substitute House Bill No. 1141 was substituted for House Bill No. 1141, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1141 was read the second time.

On motion of Mr. Armstrong, the following amendment by Representatives Armstrong, Sanders and Williams was adopted:

On page 2, line 1 after "corporations" insert ", to be known as export assistance centers,"

Mr. Armstrong moved adoption of the following amendment by Representatives Armstrong and Sanders:

On page 2, line 10 after "directors" strike all material down to and including "businesses" on line 24

Mr. Armstrong spoke in favor of the amendment, and Mr. Barrett spoke against it.

Mr. Armstrong spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Armstrong and Sanders to page 2, line 10 of Substitute House Bill No. 1141, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Williams.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

On motion of Mr. Armstrong, the following amendments by Representatives Armstrong, Sanders and Williams were adopted:

On page 1, line 23 after the period strike the remainder of the section.

On page 3, line 19 after "to receive" strike the remainder of the section and insert "consideration for a contract under this chapter from the department of commerce and economic development. Such a contract shall require the center to provide export assistance services. A contract may not have a duration of longer than one year, and a center for the entire period of its existence may not have more than one contract."

On page 3, line 30 strike "grants" and insert "contracts"

On page 4, line 4 after "purpose of" strike the remainder of the section and insert "entering into contracts with export assistance centers."

The bill was ordered engrossed.

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

Representatives Armstrong, Williams and Ehlers spoke in favor of passage of the bill, and Representatives Struthers, Barrett, Wilson, King (J) and Flanagan spoke against it.

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

Mr. Armstrong closed debate, speaking again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 70; nays, 28; not voting, 0.

Voting yea: Representatives Addison, Armstrong, Barnes, Becker, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatin, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barr, Barrett, Berleen, Bond, Cantu, Clayton, Dickie, Fancher, Flanagan, Hankins, Hastings, Isaacson, Lundquist, McDonald, Mitchell, Nelson G. A., Nickell, Padden, Prince, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Wilson.

Engrossed Substitute House Bill No. 1141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 848,
 SUBSTITUTE HOUSE BILL NO. 849,
 SUBSTITUTE HOUSE BILL NO. 878,
 SUBSTITUTE HOUSE BILL NO. 891,
 HOUSE BILL NO. 916,
 HOUSE BILL NO. 999,
 SUBSTITUTE HOUSE BILL NO. 1131,
 HOUSE BILL NO. 1174,
 SENATE BILL NO. 3587,
 SUBSTITUTE SENATE BILL NO. 3913,
 SENATE BILL NO. 4366,
 SENATE BILL NO. 4691,
 SENATE BILL NO. 4749,
 SENATE CONCURRENT RESOLUTION NO. 146.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Thursday, March 11, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SIXTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 11, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sarah Cantu and Steve Duffield. Prayer was offered by The Reverend Lester Olson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4559, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF STANDING COMMITTEE

March 10, 1982

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, Prime Sponsor: Committee on Ways and Means, providing the means for the payment of public indebtedness on public improvements. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. **SHORT TITLE.** This chapter may be known and cited as the Community Redevelopment Financing Act of 1982.

NEW SECTION. Sec. 2. **DECLARATION.** It is declared to be the public policy of the state of Washington to promote and facilitate the orderly development and economic stability of its urban areas. The provision of adequate government services and the creation of employment opportunities for the citizens within urban areas depends upon the economic growth and the strength of their tax base. The construction of necessary public improvements in accordance with local community planning will encourage investment in job-producing private development and will expand the public tax base.

It is the purpose of this chapter to allocate a portion of regular property taxes for limited periods of time to assist in the financing of public improvements which are needed to encourage private development of urban areas; to prevent or arrest the decay of urban areas due to the inability of existing financing methods to provide needed public improvements; to encourage local taxing districts to cooperate in the allocation of future tax revenues arising in urban areas in order to facilitate the long-term growth of their common tax base; and to encourage private investment within urban areas.

NEW SECTION. Sec. 3. **DEFINITIONS.** As used in this chapter the following terms have the following meanings unless a different meaning is clearly indicated by the context:

(1) 'Apportionment district' means the geographic area, within an urban area, from which regular property taxes are to be apportioned to finance a public improvement contained therein.

(2) 'Assessed value of real property' means the valuation of real property as placed on the last completed assessment roll of the county.

(3) 'City' means any city or town.

(4) 'Ordinance' means any appropriate method of taking a legislative action by a county or city, whether known as a statute, resolution, ordinance, or otherwise.

(5) 'Public improvement' means an undertaking to provide public facilities in an urban area which the sponsor has authority to provide.

(6) 'Public improvement costs' means the costs of design, planning, acquisition, site preparation, construction, reconstruction, rehabilitation, improvement, and installation of the public improvement; costs of relocation, maintenance, and operation of property pending construction of the public improvement; costs of utilities relocated as a result of the public improvement; costs of financing, including interest during construction, legal and other professional services, taxes, and insurance; costs incurred by the assessor to revalue real property for the purpose of determining the tax allocation base value that are in excess of costs incurred

by the assessor in accordance with his revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; and administrative costs reasonably necessary and related to these costs. These costs may include costs incurred prior to the adoption of the public improvement ordinance, but subsequent to the effective date of this act.

(7) 'Public improvement ordinance' means the ordinance passed under section 5(4) of this act.

(8) 'Regular property taxes' means regular property taxes as now or hereafter defined in RCW 84.04-.140, except regular property taxes levied by port districts or public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness.

(9) 'Sponsor' means any county or city initiating and undertaking a public improvement.

(10) 'Tax allocation base value of real property' means the true and fair value of real property within an apportionment district for the year in which the apportionment district was established.

(11) 'Tax allocation bonds' means any bonds, notes, or other obligations issued by a sponsor pursuant to section 10 of this act.

(12) 'Tax allocation revenues' means those tax revenues allocated to a sponsor under section 8(1)(b) of this act.

(13) 'Taxing districts' means any governmental entity which levies or has levied for it regular property taxes upon real property located within a proposed or approved apportionment district.

(14) 'Value of taxable property' means value of taxable property as defined in RCW 39.36.015.

(15) 'Urban area' means an area in a city or located outside of a city that is characterized by intensive use of the land for the location of structures and receiving such urban services as sewers, water, and other public utilities and services normally associated with urbanized areas. Not more than twenty-five percent of the area within the urban area proposed apportionment district may be vacant land.

NEW SECTION. Sec. 4. **AUTHORITY—LIMITATIONS.** (1) Only public improvements which are determined by the legislative authority of the sponsor to meet the following criteria are eligible to be financed under this chapter:

(a) The public improvement is located within an urban area;

(b) The public improvement will encourage private development within the apportionment district;

(c) The public improvement will increase the fair market value of the real property located within the apportionment district;

(d) The private development which is anticipated to occur within the apportionment district as a result of the public improvement is consistent with an existing comprehensive land use plan and approved growth policies of the jurisdiction within which it is located;

(e) A public improvement located within a city has been approved by the legislative authority of such city; and

(f) A public improvement located within an urban area in an unincorporated area has been approved by the legislative authority of the county within whose boundaries the area lies.

(2) Apportionment of regular property tax revenues to finance the public improvements is subject to the following limitations:

(a) No apportionment of regular property tax revenues may take place within a previously established apportionment district where regular property taxes are still apportioned to finance public improvements without the concurrence of the sponsor which established the district;

(b) No apportionment district may be established which includes any geographic area included within a previously established apportionment district which has outstanding bonds payable in whole or in part from tax allocation revenues;

(c) The total amount of outstanding bonds payable in whole or in part from tax allocation revenues arising from property located within a city shall not exceed two percent of the value of taxable property within the city, and the total amount of outstanding bonds payable in whole or in part from tax allocation revenues arising from property located within the unincorporated areas of a county shall not exceed two percent of the value of taxable property within the entire unincorporated area of the county; and

(d) No taxes other than regular property taxes may be apportioned under this chapter.

(3) Public improvements may be undertaken and coordinated with other programs or efforts undertaken by the sponsor or others and may be funded in whole or in part from sources other than those provided by this chapter.

NEW SECTION. Sec. 5. **PROCEDURE FOR ADOPTION OF PUBLIC IMPROVEMENT.** Public improvements funded by tax allocation revenues may only be located within an urban area. In order to secure an allocation of regular property taxes to finance a public improvement, a sponsor shall:

(1) Propose by ordinance a plan for the public improvement which includes a description of the contemplated public improvement, the estimated cost thereof, the boundaries of the apportionment district, the estimated period during which tax revenue apportionment is contemplated, and the ways in which the sponsor plans to use tax allocation revenues to finance the public improvement, and which sets at least three public hearings thereon before the legislative authority of the sponsor or a committee thereof: **PROVIDED,** That public hearings for the public improvement that is undertaken in combination or coordination by two or more sponsors may be held jointly; and public hearings, held before the legislative authority or a committee of a majority thereof may be combined with public hearings held for other purposes;

(2) At least fifteen days in advance of the hearing:

(a) Deliver notice of the hearing to all taxing districts, the county treasurer, and the county assessor, which notice includes a map or drawing showing the location of the contemplated public improvement and the boundaries of the proposed apportionment district, a brief description of the public improvement, the

estimated cost thereof, the anticipated increase in property values within the apportionment district, the location of the sponsor's principal business office where it will maintain information concerning the public improvement for public inspection, and the date and place of hearing; and

(b) Post notice in at least six public places located in the proposed apportionment district and publish notice in a legal newspaper of general circulation within the sponsor's jurisdiction briefly describing the public improvement, the proposed apportionment, the boundaries of the proposed apportionment district, the location where additional information concerning the public improvement may be inspected, and the date and place of hearing;

(3) At the time and place fixed for the hearing under subsection (1) of this section, and at such times to which the hearing may be adjourned, receive and consider all statements and materials as may be submitted, and objections and letters filed before or within ten days thereafter;

(4) Within one hundred twenty days after completion of the public hearings, pass an ordinance establishing the apportionment district and authorizing the proposed public improvement, including any modifications which in the sponsor's opinion the hearings indicated should be made, which includes the boundaries of the apportionment district, a description of the public improvement, the estimated cost thereof, the portion of the estimated cost thereof to be reimbursed from tax allocation revenues, the estimated time during which regular property taxes are to be apportioned, the date upon which apportionment of the regular property taxes will commence, and a finding that the public improvement meets the conditions of section 4 of this act.

NEW SECTION. Sec. 6. NOTICE OF PUBLIC IMPROVEMENT. Within fifteen days after enactment of the public improvement ordinance, the sponsor shall publish notice in a legal newspaper circulated within the designated apportionment district summarizing the final public improvement, including a brief description of the public improvement, the boundaries of the apportionment district, and the location where the public improvement ordinance and any other information concerning the public improvement may be inspected.

Within fifteen days after enactment of the public improvement ordinance, the sponsor shall deliver a certified copy thereof to each taxing district, the county treasurer, and the county assessor.

NEW SECTION. Sec. 7. DISAGREEMENTS BETWEEN TAXING DISTRICTS. (1) Any taxing district that objects to the apportionment district, the duration of the apportionment, the manner of apportionment, or the propriety of cost items established by the public improvement ordinance of the sponsor may, within thirty days after receipt of the ordinance, petition for review thereof by the state board of tax appeals. The state board of tax appeals shall meet within a reasonable time, hear all the evidence presented by the parties on matters in dispute, and determine the issues upon the evidence as may be presented to it at the hearing. The board may approve or deny the public improvement ordinance as enacted or may grant approval conditioned upon modification of the ordinance by the sponsor. The decision by the state board of tax appeals shall be final and conclusive but shall not preclude modification or discontinuation of the public improvement.

(2) If the sponsor modifies the public improvement ordinance as directed by the board, the public improvement ordinance shall be effective without further hearings or findings and shall not be subject to any further appeal. If the sponsor modifies the public improvement ordinance in a manner other than as directed by the board, the public improvement ordinance shall be subject to the procedures established pursuant to sections 5 and 6 of this act.

NEW SECTION. Sec. 8. APPORTIONMENT OF TAXES. (1) Upon the date established in the public improvement ordinance, but not sooner than the first day of the calendar year following the passage of the ordinance, the regular property taxes levied upon the assessed value of real property within the apportionment district shall be divided as follows:

(a) That portion of the regular property taxes produced by the rate of tax levied each year by or for each of the taxing districts upon the tax allocation base value of real property, or upon the assessed value of real property in each year, whichever is smaller, shall be allocated to and paid to the respective taxing districts; and

(b) That portion of the regular property taxes levied each year by or for each of the taxing districts upon the assessed value of real property within an apportionment district which is in excess of the tax allocation base value of real property shall be allocated and paid to the sponsor, or the sponsor's designated agent, until all public improvement costs to be paid from the tax allocation revenues have been paid, except that the sponsor may agree to receive less than the full amount of such portion as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of the taxes shall be allocated to the respective taxing districts as the sponsor and the taxing districts may agree.

(2) The county assessor shall revalue the real property within the apportionment district for the purpose of determining the tax allocation base value for the apportionment district and shall certify to the sponsor the tax allocation base value as soon as practicable after the assessor receives notice of the public improvement ordinance and shall certify to the sponsor the total assessed value of real property within thirty days after the property values for each succeeding year have been established, except that the assessed value of state-assessed real property within the apportionment district shall be certified as soon as the values are provided to the assessor by the department of revenue. Nothing in this section authorizes revaluations of real property by the assessor for property taxation that are not made in accordance with the assessor's revaluation plan under chapter 84.41 RCW.

(3) The date upon which the apportionment district was established shall be considered the date upon which the public improvement ordinance was enacted by the sponsor.

(4) The apportionment of regular property taxes under this section shall cease when tax allocation revenues are no longer necessary or obligated to pay public improvement costs or to pay principal of and interest on bonds issued to finance public improvement costs and payable in whole or in part from tax allocation revenues. At the time of termination of the apportionment, any excess money and any earnings thereon held by the sponsor shall be returned to the county treasurer and distributed to the taxing districts which were subject to the allocation in proportion to their regular property tax levies due for the year in which the funds are returned.

NEW SECTION. Sec. 9. APPLICATION OF TAX ALLOCATION REVENUES. Tax allocation revenues may be applied as follows:

- (1) To pay public improvement costs;
- (2) To pay principal of and interest on, and to fund any necessary reserves for, tax allocation bonds;
- (3) To pay into bond funds established to pay the principal of and interest on general obligation bonds issued pursuant to law to finance public facilities that are specified in the public improvement ordinance and constructed following the establishment of and within the apportionment district; or
- (4) To pay any combination of the foregoing.

NEW SECTION. Sec. 10. TAX ALLOCATION BONDS. (1) A sponsor may issue such tax allocation bonds as it may deem appropriate for the financing of public improvement costs and a reasonable bond reserve and for the refunding of any outstanding tax allocation bonds.

- (2) The principal and interest of tax allocation bonds may be made payable from:
 - (a) Tax allocation revenues;
 - (b) Project revenues which may include (i) nontax income, revenues, fees, and rents from the public improvement financed with the proceeds of the bonds, or portions thereof, and (ii) contributions, grants, and nontax money available to the sponsor for payment of costs of the public improvement or the debt service of the bonds issued therefor;
 - (c) Any combination of the foregoing.
- (3) Tax allocation bonds shall not be the general obligation of or guaranteed by all or any part of the full faith and credit of the sponsor or any other state or local government, or any tax revenues other than tax allocation revenues, and shall not be considered a debt of the sponsor or other state or local government for general indebtedness limitation purposes.

(4) The terms and conditions of tax allocation bonds may include provisions for the following matters, among others:

- (a) The date of issuance, maturity date or dates, denominations, form, series, negotiability, registration, rank or priority, place of payment, interest rate or rates which may be fixed or may vary over the life of the tax allocation bonds, bond reserve, coverage, and such other terms related to repayment of the tax allocation bonds;
 - (b) The application of tax allocation bond proceeds; the use, sale, or disposition of property acquired; consideration or rents and fees to be charged in the sale or lease of property acquired; consideration or rents and fees to be charged in the sale or lease of property within a public improvement; the application of rents, fees, and revenues within a public improvement; the maintenance, insurance, and replacement of property within a public improvement; other encumbrances, if any, upon all or part of property within a public improvement, then existing or thereafter acquired; and the type of debts that may be incurred;
 - (c) The creation of special funds; the money to be so applied; and the use and disposition of the money;
 - (d) The securing of the tax allocation bonds by a pledge of property and property rights, by assignment of income generated by the public improvement, or by pledging such additional specifically described resources other than tax revenues as are available to the sponsor;
 - (e) The terms and conditions for redemption;
 - (f) The replacement of lost and destroyed bond instruments;
 - (g) Procedures for amendment of the terms and conditions of the tax allocation bonds;
 - (h) The powers of a trustee to enforce covenants and take other actions in event of default; the rights, liabilities, powers, and duties arising upon the breach of any covenant, condition, or obligation; and
 - (i) When consistent with the terms of this chapter, such other terms, conditions, and provisions which may make the tax allocation bonds more marketable and further the purposes of this chapter.
- (5) Tax allocation bonds may be issued and sold in such manner as the legislative authority of the sponsor shall determine.
- (6) The sponsor may also issue or incur obligations in anticipation of the receipt of tax allocation bond proceeds or other money available to pay public improvement costs.

NEW SECTION. Sec. 11. There is added to chapter 84.55 RCW a new section to read as follows:

ADJUSTMENT TO TAX LIMITATION. Pursuant to chapter 39... RCW (sections 1 through 10 and 12 through 15 of this act), any increase in the assessed value of real property within an apportionment district resulting from new construction, improvements to property, or any increase in the assessed value of state-assessed property shall not be included in the increase in assessed value resulting from new construction, improvements, or any increase in the assessed value of state-assessed property for purposes of calculating any limitations upon regular property taxes under this chapter until the termination of apportionment as set forth in section 8(4) of this act, as now or hereafter amended, except to the extent a taxing district actually will receive the taxes levied upon this value. Tax allocation revenues, as defined in section 3 of this act, as now or hereafter amended, shall not be deemed to be 'regular property taxes' for purposes of this chapter.

NEW SECTION. Sec. 12. LEGAL INVESTMENTS. Tax allocation bonds authorized in this chapter shall be legal investments for any of the funds of the state and of municipal corporations, for trustees, and for other fiduciaries.

NEW SECTION. Sec. 13. NOTICE TO STATE. Whenever notice is required to be given to the state, notice shall be given to the director of revenue.

NEW SECTION. Sec. 14. CONCLUSIVE PRESUMPTION OF VALIDITY. No direct or collateral attack on any public improvement, public improvement ordinance, or apportionment district purported to be authorized or created in conformance with applicable legal requirements, including the requirements of this chapter, may be commenced more than thirty days after publication of notice as required by section 6 of this act.

NEW SECTION. Sec. 15. SUPPLEMENTAL NATURE OF CHAPTER. This chapter supplements and neither restricts nor limits any powers which the state or any municipal corporation might otherwise have under any laws of this state.

NEW SECTION. Sec. 16. CAPTIONS NOT PART OF LAW. As used in this act, captions constitute no part of the law.

NEW SECTION. Sec. 17. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 18. Sections 1 through 10 and 12 through 15 of this act shall constitute a new chapter in Title 39 RCW."

Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Brown, Galloway, Granlund, Hastings, Rust, Sanders.

Not attending: Representatives Bickham; Bond.

Passed to Committee on Rules for second reading.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 42, by Representatives Rosbach, Martinis, Nisbet, Owen, Lundquist, North, Chamberlain, Stratton, Vander Stoep, Mitchell, Dawson, Erak, Barr and Garson:

Requesting modification of state timber sales procedures.

The resolution was read the second time.

On motion of Ms. Rosbach, the following amendment was adopted:

On page 1, line 27 after "sales" insert "volume"

Ms. Rinehart moved adoption of the following amendments:

On page 1, line 16 after "trusts;" insert "and

WHEREAS, It is in the interests of the human communities and natural resource base of the state that an assured supply of timber from state-owned lands be available over time; and

WHEREAS, RCW 79.68.040 directs the department of natural resources to manage state-owned forest lands on a sustained yield basis; and

WHEREAS, No area of the state should incur a prolonged cessation or curtailment of harvest from state timber lands;"

On page 2, after line 5 insert:

"BE IT FURTHER RESOLVED, That in carrying out the state timber sale program, the department of natural resources shall apply the sustained yield concept as defined in RCW 79.68.030 to each department administrative area."

Ms. Rinehart spoke in favor of the amendments, and Representatives Rosbach and Chamberlain spoke against them.

Ms. Rinehart spoke again in favor of the amendments, and Ms. Rosbach again opposed them.

Representatives Barr and Martinis spoke against the amendments.

POINT OF INQUIRY

Ms. Rinehart yielded to question by Ms. Cole.

Ms. Cole: "Representative Rinehart, would you define what 'sustained yield' is?"

Ms. Rinehart: "Yes, Representative Cole, the word-for-word definition out of the statute, rather than being an outmoded concept, is current law and this is simply what it says: 'Sustained yield is management of the forests to provide harvesting on a continuing basis without major prolonged curtailment or cessation of harvest.'"

The amendment was not adopted.

Ms. Rinehart moved adoption of the following amendment:

On page 1, line 20 after "than" strike "seven hundred and fifty million board feet of timber per year" and insert "eighty percent of the yearly allowable cut"

Ms. Rinehart spoke in favor of the amendment, and Mr. Lundquist spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representatives McDonald, Padden and Taylor:

On page 1, line 21 after the comma strike "plus" and insert "including"

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

The resolution was ordered engrossed. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Rosbach and Owen spoke in favor of adoption of the resolution.

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

Mr. Barr spoke in favor of the resolution.

POINT OF INQUIRY

Ms. Rosbach yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Rosbach, I notice on the bill report that the department did not testify. Could you tell me what their opinion is on this resolution? Will they honor the resolution?"

Ms. Rosbach: "The department did testify. I read a transcript from the Senate hearing on it. They agreed to the provisions in the concurrent resolution during the hearing."

Mr. Nelson (D): "How does this cutting program differ from the plan they had previously?"

Ms. Rosbach: "They have said they were going to harvest 759 million board feet annually, and that has not been their past performance. They had harvested 758, 734, 829, 744—and so on, but then in 1978, they sold 413 million board feet and in 1981, 436; 1980, 893. They've not had a sustained yield basis. This is legislative intent, and we did not put it in the bill because we want to give them some latitude. It is legislative intent that they will offer for sale what their sustained yield basis has been."

Mr. Nelson (D): "In looking at the final resolve, it says that any timber sales offered during the calendar years of 1982 and 1983 should be appraised at the then current market prices for manufacturing timber into lumber products. It doesn't really say that we're going to receive the current price. I'm not sure what that resolve really says. Could you explain it to me?"

Ms. Rosbach: "The present policy is that the appraised value is based on manufactured lumber, plywood, shakes and shingles on the domestic market. That is the present policy. We've put that in the resolution even though it is present policy because we do not want it to be based on the export market. If it were based on the export market, the price would be so high that none would sell probably. This is present policy."

Mr. Nelson (D): "I guess I'm wondering what it means in terms of the sales and the prices the state receives. Maybe you can explain what kind of price the state will receive? Will it receive the depressed prices that are in the lumber products market right now?"

Ms. Rosbach: "We will receive a good market price—a price in which people can afford to build and manufacture and produce and put the people back to work. If it is a low price—say the appraised value is \$175 and it doesn't come up to that price—they don't have to offer it for sale."

Representatives Nelson (D) and Sommers spoke against the resolution, and Representatives Martinis, Barr, Flanagan and Rosbach spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of Engrossed House Concurrent Resolution No. 42, and the resolution was adopted by the following vote: Yeas, 74; nays, 22; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Cole, Eng, Galloway, Garrett, Kreidler, Lux, Maxie, McDonald, Nelson D., North, Padden, Rinehart, Rust, Sommers, Taylor, Teutsch, Thompson, Valle, Warnke, Williams.

Not voting: Representatives Armstrong, Becker.

Engrossed House Concurrent Resolution No. 42, having received the constitutional majority, was declared adopted.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The President has signed:

	SUBSTITUTE HOUSE BILL NO.	15,
	SUBSTITUTE HOUSE BILL NO.	40,
	SUBSTITUTE HOUSE BILL NO.	58,
SECOND	SUBSTITUTE HOUSE BILL NO.	378,
	HOUSE BILL NO.	381,
	SUBSTITUTE HOUSE BILL NO.	419,
	SUBSTITUTE HOUSE BILL NO.	452,
	SUBSTITUTE HOUSE BILL NO.	593,
	HOUSE BILL NO.	621,
	SUBSTITUTE HOUSE BILL NO.	663,
	HOUSE BILL NO.	728,
	HOUSE BILL NO.	745,
	SUBSTITUTE HOUSE BILL NO.	762,
	SUBSTITUTE HOUSE BILL NO.	837,
	SUBSTITUTE HOUSE BILL NO.	848,
	SUBSTITUTE HOUSE BILL NO.	849,
	HOUSE BILL NO.	859,
	SUBSTITUTE HOUSE BILL NO.	874,
	SUBSTITUTE HOUSE BILL NO.	878,
	SUBSTITUTE HOUSE BILL NO.	891,
	HOUSE BILL NO.	907,
	HOUSE BILL NO.	916,
	HOUSE BILL NO.	999,
	SUBSTITUTE HOUSE BILL NO.	1011,
	SUBSTITUTE HOUSE BILL NO.	1131,
	HOUSE BILL NO.	1174,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

HOUSE BILL NO. 313, by Committee on Revenue and Representatives Greengo and Clayton:

Pertaining to the taxation of business inventories.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 313 was substituted for House Bill No. 313, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 313 was read the second time.

Mr. Nisbet moved adoption of the following amendment:

On page 1, line 22 after "days" insert "nor shall it mean timber standing on state land"

POINT OF ORDER

Mr. Greengo: "Mr. Speaker, this seems to deal with all timber and the bill itself deals with leased inventory. I'd like to raise the question of scope and object."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Greengo, the bill deals with the leasing of property. The amendment deals only with the timber, so your point is well taken. The amendment is beyond the scope and object."

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 313, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Salatino.

Substitute House Bill No. 313, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1158, by Committee on Appropriations - Human Services and Representatives Nisbet and Brekke:

Authorizing voluntary contributions to offset the cost of care provided to publicly supported nursing home patients.

The bill was read the second time. On motion of Mr. Nisbet, Substitute House Bill No. 1158 was substituted for House Bill No. 1158, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1158 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1158, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 1158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1165, by Committee on State Government and Representative Addison:

Modifying boards and commissions based on revised congressional districts.

The bill was read the second time. On motion of Mr. Addison, Substitute House Bill No. 1165 was substituted for House Bill No. 1165, and the substitute bill was placed on the calendar for second reading.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1165, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 1165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4502, by Committee on Ways and Means (originally sponsored by Senator Lee):

Modifying funds apportioned by the superintendent of public instruction.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendment, see Journal, 59th Day, March 10, 1982.)

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

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

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

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Heck.

Mr. Heck: "Representative Chandler, I wonder if you could enlighten the body as to the effect of this change on the levy lid capacity as it relates to grants out of districts?"

Mr. Chandler: "There's no way to know what the fiscal impact would be because this simply gives districts the option to do this. It would depend on how many of them utilize the option."

Mr. Heck: "Did anybody do a run on what the increased capacity would be? Do we have any idea what the potential impact is?"

Mr. Chandler: "It's an impossible question to answer, Representative Heck. No, we don't have any runs on it. We're talking about local funds. The impact it would have to the state would be a positive one this biennium, maybe, and a negative next, but other than that there's really no way to answer it."

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4502 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson,

Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representative Wilson.

Substitute Senate Bill No. 4502 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4605, by Committee on Ways and Means (originally sponsored by Senator Scott):

Authorizing the department of revenue to contract for out-of-state auditing service.

The bill was read the second time. On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4605, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Leonard, Teutsch.

Substitute Senate Bill No. 4605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4680, by Senators Hemstad and Fuller:

Requiring the sheriff's civil service commission to schedule hearings and issue written opinions within certain time periods.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4680, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Bill No. 4680, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4717, by Senators Lee, Shipoch and Metcalf:

Giving free copies of state statutes and rules to legislative committees.

The bill was read the second time.

Committee on Appropriations – General Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 50th Day, March 1, 1982.)

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4717 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Bill No. 4717 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 448,
HOUSE BILL NO. 883,
SUBSTITUTE SENATE BILL NO. 4609,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 127, by Senators Metcalf, Vognild, Rasmussen, Moore, McCaslin, Pullen, Guess, Hansen, Bauer, Lysen, Craswell and Fuller:

Requesting actions be filed in the Supreme Court against unsound monetary policies.

The resolution was read the second time.

Mr. Dawson moved adoption of the following amendments:

On page 1, line 27 after "cause" insert ", at the discretion of the attorney general,"

On page 2, line 3 after "Reserve" insert "and;

BE IT FURTHER RESOLVED, That in the event either or both of these actions are lost, then the Senate, from the funds that have been or shall be appropriated for Senate operations, (1) shall reimburse the office of attorney general for the entire cost of the lost action or actions and (2) shall pay any court costs and damages charged against the state in such lost action or actions: PROVIDED, That no supplementary appropriation or other budgetary consideration may be made to offset the entire cost of such reimbursement and/or payment from being borne exclusively by the Senate and not directly or indirectly by state taxpayers through increased appropriations to the Senate"

POINT OF ORDER

Mr. Padden: "Mr. Speaker, could we have a ruling on the scope and object of these amendments?"

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Padden, the first amendment is within the scope and object, and the second one relates directly to the lawsuit which is requested by the resolution, so the Speaker would rule it is within the scope and object."

Representatives Dawson and Nisbet spoke in favor of the amendments, and Representatives Eberle, Addison, Patrick, Salatino and Bond spoke against them.

Mr. Brown demanded an electric roll call vote on the amendments, and the demand was sustained.

Mr. Dawson spoke again in favor of the amendments, and Mr. Williams opposed them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Dawson to Engrossed Senate Concurrent Resolution No. 127, and the amendments were not adopted by the following vote: Yeas, 17; nays, 79; not voting, 2.

Voting yea: Representatives Becker, Brekke, Burns, Dawson, Ehlers, Eng, Grimm, Kaiser, Kreidler, Monohon, Nelson D., Nisbet, Rinehart, Sommers, Teutsch, Valle, Walk.

Monohon: Representatives Addison, Amen, Armstrong, Barnes, Barr, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, North, O'Brien, Owen, Padden, Patrick, Prince, Prujitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barrett, Thompson.

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

Representatives Eberle and O'Brien spoke in favor of the resolution.

POINT OF INQUIRY

Mr. Eberle yielded to question by Mr. Flanagan.

Mr. Flanagan: "If this joint resolution passes, what would be the result? What would it accomplish?"

Mr. Eberle: "Representative Flanagan, I think what we have done is to express the intent of the legislature. I don't think there would be any suit filed until further action was taken by the legislature, but this clearly expresses the intent of the legislature. I think, for our part, the important thing to remember is that it sends a clear message to the Federal Reserve."

Mr. Flanagan: "I still don't see where you said what it accomplishes. You said sending a message to the Federal Reserve with some vague intent, but I don't know what the intent is. Could you answer that?"

Mr. Eberle: "The intent is two-fold. Number one: The question of constitutionality of the Congress delegating the authority to create money to private organizations or a private commission run by a major U.S. Bank; and number two: To ask for an audit of that organization which has never been performed since 1913."

Representatives Flanagan and Dawson spoke against the resolution, and Representatives Hastings and Addison spoke in favor of it.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Williams, I have a little concern. I've heard people say, and I read, that it is the intent of our filing this document that a suit will be filed. I heard Representative Eberle's answer to a question a minute ago that this has no impact on any suit being filed. And now if I may, may I ask you, as another person who has studied this, will or will we not be mandating a suit by the state of Washington if this is passed?"

Mr. Williams: "That would be the decision of the Attorney General. I would sincerely hope that we would, but it would be his decision."

Representatives Nisbet, Grimm and Barnes spoke against the resolution, and Representatives Walk, Heck, Patrick and Lux spoke in favor of it.

Engrossed Senate Concurrent Resolution No. 127 was adopted.

The Speaker resumed the Chair.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-154, by Representatives Fiske, Grimm, Dawson, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, The 1982 Regular Session of the Washington State House of Representatives marks the first time any state legislative body has implemented a formal program of senior citizen interns; and

WHEREAS, Ten Washington State senior citizens have served their state and this House as Senior Citizen Interns during the 1982 Regular Session; and

WHEREAS, The House Senior Citizen Interns have made a major contribution to their state and this House by their diligent and able work; and

WHEREAS, The addition of Senior Citizen Interns to the regular session staff has contributed a new, valuable perspective to the House reflecting the wisdom and experience of the Senior Citizen Interns;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House commends the following House Senior Citizen Interns for a job well done during the 1982 Session: Edgar Baird, Marthe Barnett, Robert Ells, Robert Kane, Frances Karney, Clement Kurz, Donald MacLean, Velma Smith, Donald Stuteville and Duane Watkins; and

BE IT FURTHER RESOLVED, That the House of Representatives extends its wishes for future success to each of the Senior Citizen Interns; and

BE IT FURTHER RESOLVED, That the Chief Clerk send copies of this resolution to each of the House Senior Citizen Interns who served during the 1982 Session.

Mr. Fiske moved adoption of the resolution. Representatives Fiske, Dawson, Grimm, Stratton and Mitchell spoke in favor of the resolution.

House Resolution No. 82-154 was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4559 as amended by the House, modifying the state forms management program, have had the same under consideration, and we recommend that the House amendment be adopted with the following additional amendments to the House amendment:

On page 2, line 2 after "state agency" strike all material down to and including "education." on line 16 and insert "or 'agency' means and is limited to each of the following: The department of licensing, the department of labor and industries and the department of revenue."

On page 4, line 24 after "June 30," strike "1985" and insert "1987"

Signed by Senators Lee, Metcalf, Rasmussen; Representatives Addison, Walk, McGinnis.

MOTION

Mr. Addison moved that the House adopt the report of the Free Conference Committee on Engrossed Senate Bill No. 4559.

On motion of Mr. Nelson (G), the provisions of Joint Rule 11 were suspended for the consideration of the motion by Mr. Addison.

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

FINAL PASSAGE OF SENATE BILL
AS RECOMMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 4559 as recommended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4680 as recommended by the Free Conference Committee and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Senate Bill No. 4559 as recommended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SENATE BILL NO. 4690, by Senators von Reichbauer, Guess and Hansen:

Recognizing current practices in county road administration.

The bill was read the second time.

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

On page 2, line 20 after "within" strike "~~(and as far as practicable and feasible to reconstruction of old roads comprising;))~~" and insert ", and as far as practicable and feasible to reconstruction of old roads comprising."

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4690 as amended by the House, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Senate Bill No. 4690 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 22,
HOUSE BILL NO. 183,
HOUSE BILL NO. 768,
HOUSE BILL NO. 851,
HOUSE BILL NO. 864,
SUBSTITUTE HOUSE BILL NO. 902,

SUBSTITUTE HOUSE BILL NO. 931,
 SUBSTITUTE HOUSE BILL NO. 1024,
 SUBSTITUTE HOUSE BILL NO. 1063.

HOUSE BILL NO. 1230, by Committee on Ways and Means and Representative Chandler:

Modifying appropriations for capital facilities.

The bill was read the second time. On motion of Mr. Chandler, Substitute House Bill No. 1230 was substituted for House Bill No. 1230, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1230 was read the second time.

Ms. Berleen moved adoption of the following amendment by Representatives Berleen, Wang, Hine, Pruitt and Valle:

On page 6, line 15 insert:

"(d) In addition to the existing requirement that any municipality desiring to use referendum 39 monies must obtain approval of the proposed facilities by general purpose units of local governments, any project by a municipality funded from this appropriation shall not be constructed within or through the territorial jurisdiction of any existing water or sewer district without the specific written approval of such district."

Reletter the remaining subsections consecutively.

Representatives Berleen, Addison, Wang, Nisbet, Barnes and Isaacson spoke in favor of the amendment, and Representatives Chandler, Greengo, Sommers and McDonald spoke against it.

POINT OF INQUIRY

Ms. Berleen yielded to question by Ms. Hine.

Ms. Hine: "Representative Berleen, I believe that permission must be granted from general purpose government before this can cross. Is that true?"

Ms. Berleen: "Yes, Representative Hine, right now cities and counties must approve these projects before they can be built within their jurisdiction. It says that in RCW 43.99F.020. My amendment would extend this same approval to water and sewer districts."

Ms. Hine spoke in favor of the amendment, and Ms. Berleen spoke again in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Berleen and others to Substitute House Bill No. 1230, and the amendment was not adopted by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Addison, Barnes, Becker, Berleen, Bond, Brown, Dawson, Dickie, Eberle, Ehlers, Fiske, Flanagan, Gallagher, Galloway, Granlund, Grimm, Hankins, Heck, Hine, Isaacson, Johnson, Kaiser, King J., Leonard, Lundquist, McGinnis, Nickell, Nisbet, Padden, Pruitt, Rinehart, Salatino, Smith, Sprague, Valle, Van Dyken, Walk, Wang, Williams, Winsley.

Voting nay: Representatives Amen, Armstrong, Barr, Barrett, Bender, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Ellis, Eng, Erak, Fancher, Garrett, Garson, Greengo, Hastings, Houchen, James, King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Warnke, Wilson, and Mr. Speaker.

MOTION

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1230 was deferred.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4200, by Committee on State Government (originally sponsored by Senators Metcalf, Rasmussen and Deccio - by Department of General Administration request):

Revising the law on public works.

The bill was read the second time.

Select Committee on Deregulation and Productivity recommendation: Majority, do pass as amended. (For amendment, see Journal, 54th Day, March 5, 1982.)

Mr. Williams moved adoption of the committee amendment.

On motion of Mr. Garson, the following amendments by Representatives Garson, Williams and Addison to the committee amendment were adopted:

On page 3, line 37 after "from" insert "contractors chosen by random number generated by computer from"

On page 3, line 38 after "roster" insert "for the category of job type involved"

The committee amendment as amended was adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4200 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R.; Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Bickham, Lewis, Nickell, Padden, Sprague.

Engrossed Substitute Senate Bill No. 4200 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Hastings to preside.

ENGROSSED SENATE BILL NO. 4507, by Senators Clarke and Rasmussen (by State Treasurer's request):

Extending the state treasurer's authority to invest treasury surplus.

The bill was read the second time.

Mr. Struthers moved adoption of the following amendments:

On page 2, line 17 after "investment board" insert "and that prior to paying and delivering state funds the state treasurer will require that the bank, mutual savings bank or savings and loan association deliver to the public deposit protection commission securities enumerated in RCW 39.58.050 having a market value of not less than one hundred and ten percent of the maturity value of the certificate of deposit as a pledge of collateral to guarantee repayment of the public funds thus deposited outside the state of Washington by the state treasurer"

On page 2, line 20 after "investment board" insert "and that prior to paying and delivering state funds the state treasurer shall require that the issuing corporation shall deliver to the public deposit protection commission securities enumerated in RCW 39.58.050 having a market value of not less than one hundred and ten percent of the maturity value of any such note or other commercial paper as a pledge of collateral to guarantee repayment of the public funds thus invested by the state treasurer"

Mr. Struthers spoke in favor of the amendments.

POINT OF INQUIRY

Mr. Struthers yielded to question by Ms. Sommers.

Ms. Sommers: "Representative Struthers, in your remarks you were speaking to the policy of not investing outside the state, but the amendment doesn't speak to that issue. It simply states that if our Treasurer, the guardian of our state taxpayer money, made a decision to purchase one of these securities, he would have to put up a guarantee of one hundred and ten percent of maturity value. What effect would that have on investments and the liquid position of our state funds?"

Mr. Struthers: "Representative Sommers, if you were to pass this amendment there would not be the ability, for those people who would offer the thirty-one day notes, to fulfill what this

would require—the one hundred ten percent. Therefore, this is a very substantial striking amendment to the bill."

Ms. Sommers spoke against the amendment.

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Chandler.

Mr. Chandler: "Representative Struthers, after you read this into your dictaphone and had it typed, did you run it by the commercial bankers to make sure it was all right?"

Mr. Struthers: "Yes, I believe this is the one I did happen to run by one of the bankers that I passed in the hall."

Mr. O'Brien spoke against the amendment, and Representatives Heck and Kreidler spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Struthers to Engrossed Senate Bill No. 4507, and the amendment was not adopted by the following vote: Yeas, 33; nays, 62; not voting, 3.

Voting yea: Representatives Addison, Barr, Barrett, Bickham, Bond, Chamberlain, Clayton, Dawson, Fancher, Galloway, Garrett, Garson, Heck, Hine, Houchen, James, Kaiser, King J., Kreidler, Lewis, Lundquist, Nelson D., Nickell, Prince, Rosbach, Schmidt, Struthers, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Winsley.

Voting nay: Representatives Armstrong, Barnes, Becker, Berleen, Brekke, Brown, Burns, Cantu, Chandler, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Granlund, Greengo, Grimm, Hankins, Hastings, Isaacson, Johnson, Leonard, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Thompson, Valle, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Amen, Bender, King R.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Williams and O'Brien spoke in favor of the bill, and Representatives Struthers, James, Kreidler and Dawson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4507, and the bill passed the House by the following vote: Yeas, 58; nays, 40; not voting, 0.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Cole, Eberle, Ehlers, Ellis, Eng, Gallagher, Greengo, Grimm, Hastings, Johnson, Lundquist, Lux, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Sherman, Sommers, Sprague, Stratton, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Bender, Berleen, Chamberlain, Clayton, Dawson, Dickie, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Hankins, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Martinis, McGinnis, Nelson D., Nickell, Prince, Rosbach, Schmidt, Scott, Smith, Struthers, Teutsch, Vander Stoep, Winsley.

Engrossed Senate Bill No. 4507, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4483, by Senators Hemstad, Talmadge and Wojahn:

Prescribing penalties for assaults on transit drivers.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendments:

On page 1, line 23 after "company" strike the period and insert "; or"

On page 1, line 24 after subsection (c) insert:

"(d) Assaults a person sixty years of age or older; or

(e) Assaults a handicapped person. As used in this section 'handicapped person' means a person who is disabled because of the loss of or permanent loss of use of a hand or foot or because of blindness or the permanent impairment of vision in both eyes to such a degree as to constitute blindness as defined in RCW 74.16.030(1)."

Representatives Tilly and Sanders spoke in favor of the amendments, and Representatives Ellis and Patrick spoke against them.

Mr. Tilly spoke again in favor of the amendments, and Mr. Nelson (D) spoke against them.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Heck.

Mr. Heck: "Representative Tilly, as I read this proposed amendment, especially in subsection (e), the definition of handicapped appears to be extremely narrow, including only those who have a permanent loss of a hand or foot or are blind. You indicated that other states have proceeded on this course, and I am wondering if this is picked up from model legislation or if any other states have actually adopted this exact language?"

Mr. Tilly: "Representative Heck, it's almost word for word with what Colorado has adopted. I could show it to you or read it to you, whatever you would like."

Mr. Heck spoke against adoption of the amendment.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Engrossed Senate Bill No. 4483, and the amendment was not adopted by the following vote: Yeas, 31; nays, 64; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bond, Brown, Dickie, Eberle, Fiske, Gallagher, Garrett, Grimm, Isaacson, James, Kaiser, Lewis, Maxie, McDonald, Nelson G. A., North, O'Brien, Owen, Salatino, Sanders, Sherman, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Walk.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Galloway, Garson, Granlund, Hankins, Hastings, Heck, Hine, Houchen, Johnson, King J., King R., Kreidler, Leonard, Lundquist, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Schmidt, Scott, Smith, Sommers, Teutsch, Thompson, Tupper, Valle, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Greengo, Nickell.

Mr. Brown moved adoption of the following amendment by Representatives Brown and Salatino:

On page 1, after line 24 insert a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student knowingly to carry onto public or private elementary or secondary school premises: (a) Any firearm, or (b) any dangerous weapon as defined in RCW 9.41.250, or (c) any device commonly known as 'nun-chu-ka sticks,' consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means, or (d) any device, commonly known as 'throwing stars,' which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any student engaged in military activities, sponsored by the federal or state governments, while engaged in official duties; or

(b) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or

(c) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

(4) The perimeter of the premises of the school shall be posted at reasonable intervals to alert the public as to the existence of the prohibitions of this act."

POINT OF ORDER

Mr. Nelson (G): "Mr. Speaker, I would raise a point of order on scope and object of this amendment."

SPEAKER'S RULING (MR. HASTINGS PRESIDING)

The Speaker (Mr. Hastings presiding): "Representative Nelson, the bill title is an act dealing with assault. The amendment has something to do with handguns. The amendment has nothing to do with assault or transients; therefore, your point is well taken and the amendment is out of order."

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

POINT OF INQUIRY

Mr. Patrick yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Patrick, I appreciate your knowledge about the subject. I was wondering if you could give us the percentage of women who are bus drivers in the metropolitan area?"

Mr. Patrick: "Representative Maxie, I don't know. I would suspect fifteen or twenty percent."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4483, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Becker.

Engrossed Senate Bill No. 4483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4547, by Senators von Reichbauer, Vognild and Quigg:

Permitting horseless carriage plates to be issued to pre 1941 vehicles.

The bill was read the second time. On motion of Ms. Fancher, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4547, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Senate Bill No. 4547, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4551, by Senators von Reichbauer, Kiser and Patterson:

Revising laws relating to the state commission on equipment.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4551, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Senate Bill No. 4551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 118, by Committee on Higher Education (originally sponsored by Senators Hansen, Patterson, Hemstad, Charnley, Benitz and Goltz):

Petitioning Congress to oppose further reductions in federal funds for postsecondary student assistance programs.

The memorial was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Teutsch and Burns spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 118, and the memorial passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Berleen, Clayton, Dickie, Flanagan, Sprague.

Substitute Senate Joint Memorial No. 118, having received the constitutional majority, was declared passed.

SENATE BILL NO. 4522, by Senators Gallagher, Conner and Fuller:

Modifying provisions relating to salmon fishing.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4522, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, James, Leonard, Lundquist.

Senate Bill No. 4522, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4947, by Senator Newhouse (by Board of Industrial Insurance Appeals request):

Revising procedures for appeals regarding industrial insurance.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Sanders, Lux, King (J), Hankins and Patrick:

On page 4, after line 34 insert the following:

"Sec. 3. Section 51.12.020, chapter 23, Laws of 1961 as last amended by section 3, chapter 128, Laws of 1981 and RCW 51.12.020 are each amended to read as follows:

The following are the only employments which shall not be included within the mandatory coverage of this title:

(1) Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment.

(2) Any person employed to do gardening, maintenance, repair, remodeling, or similar work in or about the private home of the employer which does not exceed ten consecutive work days.

(3) A person whose work is casual and the employment is not in the course of the trade, business, or profession of his employer.

(4) Any person performing services in return for aid or sustenance only, received from any religious or charitable organization.

(5) Sole proprietors or partners: PROVIDED, That after July 26, 1981, sole proprietors or partners who for the first time register under chapter 18.27 RCW or become licensed for the first time under chapter 19.28 RCW shall be included under the mandatory coverage provisions of this title subject to the provisions of RCW 51.32.030. These persons may elect to withdraw from coverage under RCW 51.12.115.

(6) Any employee, not regularly and continuously employed by the employer in agricultural labor, whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars. Employees not regularly and continuously employed in agricultural labor by any one employer but who are employed in agricultural labor on a seasonal basis shall come under the coverage of this title only when their cash remuneration paid or due in that calendar year exceeds one hundred fifty dollars but only as of the occurrence of that event and only as to their work for that employer.

(7) Any child under eighteen years of age employed by his parent or parents in agricultural activities on the family farm.

(8) Jockeys while participating in or preparing horses for race meets licensed by the Washington horse racing commission pursuant to chapter 67.16 RCW.

(9) Any executive officer elected and empowered in accordance with the articles of incorporation or bylaws of a corporation who at all times during the period involved is also a director and shareholder of the corporation. Any officer who was considered by the department to be covered on and after June 30, 1977, shall continue to be covered until such time as the officer voluntarily elects to withdraw from coverage in the manner provided by RCW 51.12.110. However, any corporation may elect to cover such officers who are in fact employees of the corporation in the manner provided by RCW 51.12.110.

(10) Any musician or entertainer who contracts to perform for a limited engagement for a purchaser of such performances, unless otherwise agreed in writing that the musician or entertainer is an employee of such purchaser.

NEW SECTION. Sec. 4. There is added to chapter 51.12 RCW a new section to read as follows:

Any musician or entertainer who performs as a member of a group or recognized entity shall be deemed an employee of such group or entity and the leader of such group or entity shall be required to properly register as an employer with the department and pay industrial insurance premiums on behalf of his or her employees. If a musician or entertainer is a sole performer or performs as a partner in a group or entity, such musician or entertainer may elect to be exempted from mandatory coverage of this title by filing with the department a notice of such election. However, any such sole performer or partner may re-elect to be covered under this title and shall be subject to all the provisions and entitled to all the benefits under this title."

Remember the remaining sections consecutively and correct any internal references accordingly.

POINT OF ORDER

Mr. Nelson (G): "Mr. Speaker, I'd like to have you rule on scope and object of this amendment."

SPEAKER'S RULING (MR. HASTINGS PRESIDING)

The Speaker (Mr. Hastings presiding): "Representative Nelson, the bill deals with appeals by persons within L&I, and the amendment tends to alter who is in the system. It has nothing to do with appeals; therefore, your point is well taken. The amendment is beyond scope and object."

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4947, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Engrossed Senate Bill No. 4947, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3916, by Senators Quigg and Goltz:

Requiring modification of shoreline classifications to reflect changed circumstances.

The bill was read the second time.

On motion of Mr. Van Dyken, the following amendment by Representatives Van Dyken, Barrett and Becker was adopted:

On page 8, after line 36 insert the following:

*Sec. 3. Section 8, chapter 185, Laws of 1973 1st ex. sess. as amended by section 6, chapter 54, Laws of 1977 and RCW 90.62.080 are each amended to read as follows:

(1) Any person aggrieved by any final decision of a state agency, as defined in RCW 90.62.020(8) as now or hereafter amended, contained in the document issued by the department pursuant to RCW 90.62.060(6) may obtain review thereof by filing a request, with the board, within thirty days of the transmittal under RCW 90.62.060(6) by the department of ecology of the document, for all final decisions other than a final decision relating to the granting or denial of a substantial development permit pursuant to RCW 90.58.140 in which case the filing of such request shall be with the shorelines hearings board. Except as provided in subsection (6) of this section, the board shall review all final decisions other than a final decision on a substantial development permit which shall be reviewed by the shorelines hearings board. In the event a request for review includes a final decision involving a substantial development permit and other permits, there shall be single staged hearing of the permits by the boards. The board shall be authorized to adopt rules and regulations implementing such staged hearings and the filing of requests so as to eliminate all unnecessary duplication.

(2) Any hearing held pursuant to this section by the pollution control hearings board or the shorelines hearings board or by the boards jointly shall be a de novo quasi judicial hearing and shall be conducted pursuant to the procedures provided in chapter 34.04 RCW.

(3) The board or boards shall make written findings of fact based upon a preponderance of the evidence and shall prepare written conclusions of law and an order, which order may affirm with or without condition, remand for further proceedings, or reverse the appealed decision in accordance with the findings and conclusions.

(4) Judicial review of decisions of the boards shall be controlled by RCW 43.21B.180 through 43.21B.200 except as they relate to decisions pertaining to substantial development permits under RCW 90.58.140 which shall be controlled by RCW 90.58.180.

(5) (a) Any person aggrieved by and desiring to appeal any final decision of a local government contained in the document issued by the department pursuant to RCW 90.62.060(6) as now or hereafter amended shall obtain review thereof in the same manner as would apply had the local government not utilized the procedures provided by this chapter.

(b) The provisions of subsection (5)(a) of this section shall not apply to a decision concerning any permit required by a 'state agency' as that term is defined in RCW 90.62.020(8) as now or hereafter amended.

(6) The board shall keep a record of all appeals of amendments or revisions to shoreline master programs that have been reviewed by the shorelines hearings board. If a request for review of a final decision of a state agency is filed for a proposed project or activity that would be constructed or conducted within the area of land or water governed by such an amendment or revision, the board shall relinquish jurisdiction to the shorelines hearings board which shall review the request. For the purposes of this section, the phrase 'area of land or water' applies, but is not limited to applying, to marine lands or waters lying not more than six hundred feet seaward from the line of ordinary high tide of lands that are governed by such a revision or amendment and are adjacent to tidal saltwater.'

Mr. Van Dyken moved adoption of the following amendments:

On page 2, line 10 after "thereto" and before the period insert ", and maintaining and promoting the economic vitality of the state"

On page 8, after line 36 insert the following:

***NEW SECTION.** Sec. 3. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the department made within one year prior to the effective date of this act, that rejected, conditionally approved, or approved proposed adjustments to a local government master program may seek review by the shorelines hearings board of such decision by filing a request for the same with the board if a request for review is filed within thirty days after the effective date of this act. The review by the shorelines hearings board shall be considered a contested case under chapter 34.04 RCW. The shorelines hearings board shall consider if the proposed adjustment is consistent with the policies of chapter 90.58 RCW in accordance with that chapter as now or hereafter amended, and shall specifically include the contemplation of maintaining and promoting the economic vitality of the state.

NEW SECTION. Sec. 4. There is added to chapter 90.58 RCW a new section to read as follows:

Any adjustment to its master program made after the effective date of this act, by a local government shall become effective sixty days after its adoption without approval by the department, except when an appeal is filed as hereinafter provided. An adjustment may only be adopted by the local government if, prior to its adoption, a public hearing was held on the proposal. At least three weeks prior to this hearing the local government proposing to adjust its master program shall provide written notification of the proposal to the department. The department, as the primary state agency responsible for the administration of this chapter, shall both notify other affected state agencies of the proposal and provide advice and counsel to the local government proposing the adjustments. After a local government adopts an adjustment to its master program, it shall immediately send a copy of its adjustment to the department. The department shall send copies of the adjustment to any state agency which may have an interest in the adjustment.

During this sixty-day period any state agency or any aggrieved person may appeal such adjustment to the shorelines hearings board as not being consistent with the policy of RCW 90.58.020. Review by the hearings board shall be considered a contested case under chapter 34.04 RCW, except that an appeal to the superior court from a final decision of the hearings board shall only be made to the superior court of the county within whose boundaries the land subject to the proposed adjustment is primarily located, and venue for any such action shall lie in that county. The review by the hearings board shall be heard within the county where the land subject to the proposed adjustment is primarily located. The board, after full consideration of the presentations of the local government and the aggrieved party or agency, shall make a balanced determination of the validity of the local government's ordinance in light of the policies and standards for implementation set forth in the act.

NEW SECTION. Sec. 5. There is added to chapter 90.58 RCW a new section to read as follows:

Any person aggrieved by a final decision of the shorelines hearings board under sections 3 or 4 of this act may, within thirty days of that decision, seek judicial review thereof by filing a petition in the superior court of the county within whose boundaries the land subject to the proposed adjustments is located.

NEW SECTION. Sec. 6. There is added to chapter 90.58 RCW a new section to read as follows:

If the hearing required to be held by a local government seeking to adjust its master program is conducted as a contested case under chapter 34.04 RCW and a record is made of that hearing, the shorelines hearings board shall be confined to a review of that record. In any other circumstance, the shorelines hearings board may conduct a de novo hearing on the local government adjustment and may conduct the hearing as a contested case under chapter 34.04 RCW.

Sec. 7. Section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150 are each amended to read as follows:

This chapter shall not apply to the state militia, or the board of prison terms and paroles, or any institution of higher education as defined in RCW 28B.19.020. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to RCW 82.03.140 or 82.03.190. The provisions of RCW 34.04.090 through 34.04.130 and the provisions of RCW 34.04.170 shall not apply to the denial, suspension, or revocation of a driver's license by the department of licensing. To the extent they are inconsistent with RCW 80.50.140, the provisions of RCW 34.04.130, 34.04.133, and 34.04.140 shall not apply to review of decisions made under RCW 80.50.100. To the extent they are inconsistent with sections 3, 4, and 5 of this 1982 act: (1) RCW 34.04.090, 34.04.100, and 34.04.105 do not apply to the review by the shorelines hearings board of proposed adjustments to a local government master program; and (2) RCW 34.04.130 does not apply to the superior court where review of a final decision by the shorelines hearings board on proposed adjustments to a local government master program may be sought. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act.

NEW SECTION. Sec. 8. Section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.190 are each repealed. This section shall take effect only if section 11, chapter ... (ESB 4831), Laws of 1982 fails to become law. If that section does become law, this section shall be of no force or effect.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Van Dyken spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Ms. Houchen.

Ms. Houchen: "Representative Van Dyken, on the first page of your amendment, on line 27 it says, '...filed within thirty days after the effective date of this act.' Doesn't that narrow it down? It seems to me it's no indication of what you just explained."

Mr. Van Dyken: "Representative Houchen, section 3 is the grandfather provision that I referred to, whereby a county that was denied by the Department of Ecology would be able to appeal within thirty days after this bill passes and becomes law. They would be able to decide then whether or not they want to appeal the DOE denial to the Shoreline Hearings Board."

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Van Dyken and others to Engrossed Senate Bill No. 3916, and the amendment was adopted by the following vote: Yeas, 63; nays, 31; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Cantu, Chamberlain, Chandler, Dickie, Eberle, Ellis, Fiske, Flanagan, Galloway, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Houchen, James, Johnson, King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Wilson, Winsley.

Voting nay: Representatives Bond, Brekke, Brown, Burns, Clayton, Cole, Ehlers, Eng, Erak, Fancher, Gallagher, Hankins, Hastings, Isaacson, Kaiser, King J., Leonard, McGinnis, Monohon, Nelson D., Nelson G. A., Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sprague, Struthers, Wang.

Not voting: Representatives Dawson, Garson, Williams, and Mr. Speaker.

On motion of Mr. Van Dyken, the following amendments to the title were adopted:

In line 3 of the title strike "and"

In line 5 of the title after "90.58.030" insert "; and amending section 8, chapter 185, Laws of 1973 1st ex. sess. as amended by section 6, chapter 54, Laws of 1977 and RCW 90.62.080"

In line 5 of the title after "90.58.030" and before the period insert "; amending section 15, chapter 234, Laws of 1959 as last amended by section 2, chapter 64, Laws of 1981 and RCW 34.04.150; adding new sections to chapter 9.58 RCW; repealing section 19, chapter 286, Laws of 1971 ex. sess. and RCW 90.58-.190; providing for contingent effectiveness; and declaring an emergency"

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3916 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 18; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Brown, Burns, Cole, Ehlers, Eng, Gallagher, Garrett, Kaiser, Nelson D., Pruitt, Rinehart, Rust, Salatino, Sherman, Struthers, Teutsch, Wang.

Not voting: Representative Lux.

Engrossed Senate Bill No. 3916 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4550, by Committee on Natural Resources (originally sponsored by Senator Guess - by Department of Game request):

Revising requirements to facilitate checking compliance with game laws.

The bill was read the second time.

The Clerk read the following amendment by Representatives Addison and Brown:

On page 2, after line 15 insert the following:

*NEW SECTION. Sec. 5. There is added to chapter 77.16 RCW a new section to read as follows:

(1) It is unlawful for a person while on lands open to lawful hunting to:

(a) Harass or intentionally disturb any game animal for the purpose of disrupting a hunt; and

(b) Intentionally interfere with the right of a person licensed under this title to take wildlife under the rules of the commission.

(2) The attorney general or any directly affected person may bring an action to restrain conduct unlawful under this section and may bring an action to recover damages.

(3) A wildlife agent or ex officio wildlife agent who reasonably believes that a person has violated this section may order the person to leave the affected area.

(4) An action for trespass may be brought against a person who remains in an affected area on public lands when ordered to leave by a wildlife agent or ex officio wildlife agent.

(5) This section does not apply to incidental interference with a hunt caused by lawful activity by other users of hunting areas for purposes including, but not limited to ranching, mining and recreation.

(6) The game commission shall promulgate rules necessary for the implementation of this section."

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

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4550, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker (Mr. Hastings presiding) declared the House recessed until 8:00 p.m.

EVENING SESSION

The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

MESSAGES FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 955,
HOUSE BILL NO. 964,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 22,
HOUSE BILL NO. 183,
HOUSE BILL NO. 768,
HOUSE BILL NO. 851,
HOUSE BILL NO. 864,
SUBSTITUTE HOUSE BILL NO. 902,
SUBSTITUTE HOUSE BILL NO. 931,

SUBSTITUTE HOUSE BILL NO. 1024,
 SUBSTITUTE HOUSE BILL NO. 1063,
 SUBSTITUTE SENATE BILL NO. 4561,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4684,
 SENATE BILL NO. 4706,
 SUBSTITUTE SENATE BILL NO. 4859,
 SENATE BILL NO. 4909,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4418, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 4559, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4663, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 448,
 HOUSE BILL NO. 883,
 SUBSTITUTE SENATE BILL NO. 4561,
 SENATE BILL NO. 4619,
 SUBSTITUTE SENATE BILL NO. 4684,
 SENATE BILL NO. 4706,
 SUBSTITUTE SENATE BILL NO. 4859,
 SENATE BILL NO. 4909.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

REPORT OF SELECT COMMITTEE ON CHILD ABUSE

March 3, 1982

Mr. Speaker:

Pursuant to House Floor Resolution No. 81-53, creating the Select Committee on Child Abuse, and House Floor Resolution No. 82-101, extending the reporting date, the attached report is submitted to the House of Representatives outlining the Committee's findings and recommendations.

MOTION

Ms. Galloway moved that the House accept the Report of the Select Committee.

Representatives Galloway and Berleen spoke in favor of the report.

POINT OF INFORMATION

Mr. Amen: "Mr. Speaker, if we adopt this report, does it mean that we're adopting the continuing resolution or the entire report as it is in Substitute House Bill No. 1048, attached to it?"

The Speaker: "The House is not actually adopting this report; they are accepting it. The tendencies are there for our information for possible action for the House to take."

The report was accepted.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 922 with the following amendments:

On page 1, line 21 after "section" insert ": PROVIDED, That certification, in writing, by the governor and concurrence of the secretary of the department of corrections that reductions to reduce prison overcrowding are necessary, shall precede any action by the board"

On page 1, line 23 after "for treason" strike all of the material down to and including "degree" on line 24 and insert ", any class A felony"

On page 1, beginning on line 26 after "(2) The" strike all the material down to and including "resources" on page 2, line 8 and insert the following: "board of prison terms and paroles shall adopt, within ninety days of the effective date of this act, guidelines for the reductions of the inmate population. These guidelines shall be applied to all inmates except those with mandatory minimums under RCW 9.95.040 or those confined for a class A felony.

(3) In establishing these guidelines, the board shall give priority to sentence reductions for inmates incarcerated for nonviolent offenses, inmates who are within six months of a scheduled parole, and inmates with the best records of conduct during confinement.

(4) In adopting this program, the board shall consider the public safety, the detrimental effect of overcrowding upon inmate rehabilitation, and the best allocation of limited correctional facility resources.

(5) The rules adopted according to the provisions of section 2 of this act shall not be implemented until the rules are submitted to the senate social and health services and the house institutions committee for their consideration and review"

On page 1, line 21 after "shall not" strike "be inconsistent with any" and insert "apply to inmates serving"

On page 3, line 5 following the period add a new section to read as follows:

"NEW SECTION. Sec. 7. If any provision of this 1982 act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Renumber the remaining section consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Houchen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 922.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 922 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 922 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 28; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brown, Cantu, Ehlers, Erak, Flanagan, Gallagher, Garrett, Grimm, Heck, Hine, Kaiser, King J., Leonard, Monohon, North, O'Brien, Owen, Patrick, Rinehart, Salatin, Scott, Sherman, Stratton, Teutsch, Walk, Wang.

Engrossed Substitute House Bill No. 922 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1012 with the following amendments:

On page 4, line 24 after "RCW" insert "and RCW 43.99.142"

On page 4, line 31 after "shall" and before "be" insert "not exceed the actual cost to the department of providing the service, and shall"

On page 4, line 33 after "by" strike "RCW 36.18.010" and insert "law"

On page 5, line 9 after "information" insert "and publications authorized by RCW 43.99.142."

NEW SECTION. Sec. 8. There is added to chapter 224, Laws of 1951 and to chapter 58.24 RCW a new section to read as follows:

A fee to be established by rule in accordance with chapter 34.04 RCW by the department of natural resources in consultation with the interagency committee for outdoor recreation, shall be charged to cover the production and distribution costs of a comprehensive guide of public parks and recreation sites in the state of Washington as authorized under RCW 43.99.142."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Substitute House Bill No. 1012.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1012 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Cole, Ehlers, Garrett, Leonard, Padden, Schmidt, Wang.

Substitute House Bill No. 1012 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1149 with the following amendments:

On page 4, line 1 after "visible" insert "or audible"

On page 7, line 18 after "display." strike all material down to and including "county." on line 20

On page 8, line 10 strike "hundred thousand" and insert "million"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1149.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1149 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1149 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Rosbach, Vander Stoep, Walk.

Not voting: Representative Salatino.

Engrossed Substitute House Bill No. 1149 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 623 with the following amendments:

On page 1, line 16 after "States" strike "for" and insert "((for) and has"

On page 1, line 20 after "prosthesis" insert "for the rated disability"

On page 2, line 12 after "this" strike "1981" and insert "1982"

On page 2, after line 19 insert the following:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "plates;" strike "and"

On page 1, line 3 of the title after "RCW 73.04.110" insert "; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Garson, the House concurred in the Senate amendments to House Bill No. 623.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of House Bill No. 623 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 623 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

House Bill No. 623 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 955,
HOUSE BILL NO. 964.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 696 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. Any city or town now or hereafter operating an employees' pension system with the approval of the board otherwise responsible for management of its respective funds may invest, reinvest, manage, contract, sell, or exchange investments acquired. Investments shall be made in accordance with investment policy duly established and published by the board. In discharging its duties under this section, the board shall act with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims; shall diversify the investments of the employees' pension system so as to minimize the risk of large losses; and shall act in accordance with the documents and instruments governing the employees' pension system, insofar as such documents and instruments are consistent with the provisions of this title.

NEW SECTION. Sec. 2. The city treasurer may cause any securities in which the city retirement system deals to be registered in the name of a nominee without mention of any fiduciary relationship, except that adequate records shall be maintained to identify the actual owner of the security so registered. The securities so registered shall be held in the physical custody of the city treasurer, the federal reserve system, the designee of the city treasurer, or at the election of the designee and upon approval of the city treasurer, the Pacific Securities Depository Trust Company Inc. or the Depository Trust Company of New York City or its designees.

With respect to the securities, the nominee shall act only on the direction of the retirement board. All rights to the dividends, interest, and sale proceeds from the securities and all voting rights of the securities shall be vested in the actual owners of the securities, and not in the nominee.

NEW SECTION. Sec. 3. The retirement board of any city which is responsible for the management of an employees' retirement system established to provide retirement benefits for nonpublic safety employees shall appoint an investment advisory committee consisting of at least three members who are considered experienced and qualified in the field of investments.

NEW SECTION. Sec. 4. In addition to its other powers and duties, the investment advisory committee shall:

(1) Make recommendations as to general investment policies, practices, and procedures to the retirement board;

(2) Review the investment transactions of the retirement board annually;

(3) Prepare a written report of its activities during each fiscal year. Each report shall be submitted not more than thirty days after the end of each fiscal year to the retirement board and to any other person who has submitted a request therefor.

NEW SECTION. Sec. 5. No advisory committee member during the term of appointment may be employed by any investment brokerage or mortgage servicing firm doing business with the retirement board.

NEW SECTION. Sec. 6. No member of the investment advisory committee is liable for the negligence, default, or failure of any other person or other member of the committee to perform the duties of his or her office, and no member of the committee may be considered or held to be an insurer of the funds or assets of the retirement system nor shall any member be liable for actions performed with the exercise of reasonable diligence within the scope of his or her duly authorized activities as a member of the committee.

NEW SECTION. Sec. 7. Section 1, chapter 34, Laws of 1980 and RCW 35.39.041 are each repealed.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act are each added to chapter 35.39 RCW.

NEW SECTION. Sec. 9. This act shall take effect July 1, 1982."

On page 1, line 1 of the title after "systems;" strike the remainder of the title and insert "adding new sections to chapter 35.39 RCW; repealing section 1, chapter 34, Laws of 1980 and RCW 35.39.041; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Isaacson, the House concurred in the Senate amendments to Substitute House Bill No. 696.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 696 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 696 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 696 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 822,
ENGROSSED HOUSE BILL NO. 894,
SUBSTITUTE HOUSE BILL NO. 1130,
HOUSE BILL NO. 1162,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 888 with the following amendment:

On page 3, line 14 after "write" strike all the material down to and including "candidate" on line 15 and insert "~~(the title of the office and the name of the candidate)~~ the name of the candidate and the political party affiliation"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House concurred in the Senate amendment to Substitute House Bill No. 888.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 888 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 888 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith,

Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute House Bill No. 888 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1006 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. As used in this chapter, the terms in this section shall have the meanings indicated unless the context clearly requires otherwise.

(1) 'Agency' means the state of Washington, any of its political subdivisions, including any city, town, or county, and any other public body exercising regulatory authority or control over the use of real property in the state.

(2) 'Permit' means any governmental approval required by law before an owner of a property interest may improve, sell, transfer, or otherwise put real property to use.

(3) 'Property interest' means any interest or right in real property in the state.

(4) 'Damages' means reasonable expenses and losses, other than speculative losses or profits, incurred between the time a cause of action arises and the time a holder of an interest in real property is granted relief as provided in section 2 of this act. Damages must be caused by an act, necessarily incurred, and actually suffered, realized, or expended, but are not based upon diminution in value of or damage to real property, or litigation expenses.

(5) 'Regulation' means any ordinance, resolution, or other rule or regulation adopted pursuant to the authority provided by state law, which imposes or alters restrictions, limitations, or conditions on the use of real property.

(6) 'Act' means a final decision by an agency which places requirements, limitations, or conditions upon the use of real property in excess of those allowed by applicable regulations in effect on the date an application for a permit is filed. 'Act' also means the failure of an agency to act within time limits established by law in response to a property owner's application for a permit: PROVIDED, That there is no 'act' within the meaning of this section when the owner of a property interest agrees in writing to extensions of time, or to the conditions or limitations imposed upon an application for a permit. 'Act' shall not include lawful decisions of an agency which are designed to prevent a condition which would constitute a threat to the health, safety, welfare, or morals of residents in the area.

In any action brought pursuant to this act, a defense is available to a political subdivision of this state that its act was mandated by a change in statute or state rule or regulation and that such a change became effective subsequent to the filing of an application for a permit.

NEW SECTION. Sec. 2. (1) Owners of a property interest who have filed an application for a permit have an action for damages to obtain relief from acts of an agency which are arbitrary, capricious, unlawful, or exceed lawful authority, or relief from a failure to act within time limits established by law: PROVIDED, That the action is unlawful or in excess of lawful authority only if the final decision of the agency was made with knowledge of its unlawfulness or that it was in excess of lawful authority, or it should reasonably have been known to have been unlawful or in excess of lawful authority.

(2) The prevailing party in an action brought pursuant to this act may be entitled to reasonable costs and attorney's fees.

(3) No cause of action is created for relief from unintentional procedural or ministerial errors of an agency.

(4) Invalidation of any regulation in effect prior to the date an application for a permit is filed with the agency shall not constitute a cause of action under this chapter.

NEW SECTION. Sec. 3. Any action to assert claims under the provisions of this chapter shall be commenced only within thirty days after all administrative remedies have been exhausted.

NEW SECTION. Sec. 4. The remedies provided by this chapter are in addition to any other remedies provided by law.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act shall constitute a new chapter in Title 64 RCW.

Strike all of the title and insert: "AN ACT Relating to property rights; and adding a new chapter to Title 64 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Isaacson, the House concurred in the Senate amendments to Substitute House Bill No. 1006.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1006 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1006 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative North.

Substitute House Bill No. 1006 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1084 with the following amendments:

On page 3, following section 2 add three new sections to read as follows:

"Sec. 3. Section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010 are each amended to read as follows:

The state board of education shall be comprised of two members from each congressional district of the state, not including any congressional district at large, elected by the members of the boards of directors of school districts thereof, as hereinafter in this chapter provided, and one ((nonvoting)) member elected at large, as hereinafter in this chapter provided, by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.02.201, as now or hereafter amended.

Sec. 4. Section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020 are each amended to read as follows:

Not later than the twenty-fifth day of August of each year, the superintendent of public instruction shall call for the following elections to be held: An election in each congressional district within which resides a member of the state board of education whose term of membership will end on the second Monday of January next following, and an election of the ((nonvoting)) member of the state board of education representative of the private schools if the term of membership will end on the second Monday of January next following. The superintendent of public instruction shall give written notice thereof to each member of the board of directors of each common school district in such congressional district, and to the chairperson of the board of directors of each private school who shall distribute said notice to each member of the private school board. Such notice shall include the election calendar and rules and regulations established by the superintendent of public instruction for the conduct of the election.

Sec. 5. Section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050 are each amended to read as follows:

Each member of the board of directors of each school district in each congressional district shall be eligible to vote for the candidates who reside in his congressional district. Each chairperson of the board of directors of each eligible private school shall cast a vote for the candidate receiving a majority in an election to be held as follows: Each member of the board of directors of each eligible private school shall vote for candidates representing the private schools in an election of the board, the purpose of which is to determine the board's candidate for the ((nonvoting)) member representative of the private schools of the state board. Not later than the first day of October the superintendent of public instruction shall mail to each member of each common school district board of directors and to each chairperson of the board of directors of each private school, the proper ballot and voting instructions for his congressional district together with biographical data concerning each candidate listed on such ballot, which data shall have been prepared by the candidate."

Renumber remaining section consecutively.

On page 1, on line 5 of the title after "28A.04.040;" and before "and" insert "amending section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW

28A.04.010; amending section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020; amending section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Taylor moved that the House do not concur in the Senate amendments to House Bill No. 1084 and ask them to recede therefrom.

Mr. O'Brien moved that the House do concur in the Senate amendments to House Bill No. 1084.

Representatives O'Brien, Van Dyken, Hastings and Stratton spoke in favor of the motion to concur, and Representatives Galloway, Taylor, King (R) and Valle spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to House Bill No. 1084, and the motion was lost by the following vote: Yeas, 43; nays, 55; not voting, 0.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Berleen, Bond, Brown, Cantu, Chandler, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Greengo, Hastings, Hine, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, Maxie, McDonald, McGinnis, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Sanders, Scott, Smith, Sprague, Stratton, Teutsch, Tilly, Van Dyken, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bender, Bickham, Brekke, Burns, Chamberlain, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, McCormick, Mitchell, Monohon, Nickell, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Sherman, Sommers, Struthers, Taylor, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

The Speaker stated that the House, by its action, had refused to concur in the Senate amendments to House Bill No. 1084 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

March 11, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 221 with the following amendments:

On page 3, line 21 after "tax" insert "on the privilege of living in or operating business in a solid waste disposal taxing district"

On page 5, following line 26 insert the following:

"NEW SECTION, Sec. 8. There is added to chapter 36.58 RCW a new section to read as follows:

County owned solid waste facilities shall not be subject to any tax or excise imposed by any city or town. Cities or towns may charge counties to mitigate impacts directly attributable to the solid waste facility: PROVIDED, That any city or town establishes that such charges are reasonably necessary to mitigate such impacts and that revenue generated from such charges is expended only to mitigate such impacts. Impacts resulting from commercial and residential solid waste collection within any city or town shall not be considered to be directly attributable to the solid waste facility."

Renumber the remaining section consecutively.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Isaacson, the House concurred in the Senate amendments to Substitute House Bill No. 221.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 221 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 221 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 10; not voting, 0.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Bond, Dawson, Dickie, Hastings, James, Leonard, Schmidt, Struthers.

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

MESSAGES FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1066,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The President has signed:

- SENATE BILL NO. 3297,
- SUBSTITUTE SENATE BILL NO. 3361,
- SUBSTITUTE SENATE BILL NO. 3617,
- SENATE BILL NO. 3795,
- SENATE BILL NO. 3944,
- SUBSTITUTE SENATE BILL NO. 4115,
- SENATE BILL NO. 4199,
- SENATE BILL NO. 4436,
- SUBSTITUTE SENATE BILL NO. 4438,
- SENATE BILL NO. 4468,
- SENATE BILL NO. 4507,
- SENATE BILL NO. 4544,
- SENATE BILL NO. 4584,
- SUBSTITUTE SENATE BILL NO. 4605,
- SENATE BILL NO. 4660,
- SUBSTITUTE SENATE BILL NO. 4663,
- SENATE BILL NO. 4680,
- SUBSTITUTE SENATE BILL NO. 4728,
- SUBSTITUTE SENATE BILL NO. 4786,
- SENATE BILL NO. 4905,
- SUBSTITUTE SENATE BILL NO. 4917,
- SENATE CONCURRENT RESOLUTION NO. 127,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SENATE AMENDMENTS TO HOUSE BILL

March 10, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 778 with the following amendments:

On page 4, strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. The employment agency advisory committee and the Washington reciprocity commission are each hereby abolished and their powers, duties, and functions are transferred to the department of licensing. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the employment agency advisory committee and the reciprocity commission and pertaining

to the functions transferred by this section shall be delivered to the custody of the department of licensing. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the employment agency advisory committee and the reciprocity commission in carrying out the powers and duties transferred by this section shall be made available to the department of licensing. All funds, credits, or other assets held in connection with the functions transferred by this section shall be assigned to the department of licensing.

Any appropriations made to or available to the employment agency advisory committee and the reciprocity commission for the purpose of carrying out the powers and duties transferred by this section shall, on the effective date of this act, be transferred and credited to the department of licensing.

Whenever any question arises as to the transfer of any funds, including unexpended balances within any accounts, books, documents, records, papers, files, equipment, or any other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 2. All rules and regulations and all pending business before the employment agency advisory committee and the reciprocity commission pertaining to the powers and duties transferred by section 1 of this act shall be continued and acted upon by the department of licensing. All existing contracts and obligations shall remain in full force and effect and shall be performed by the department of licensing.

NEW SECTION. Sec. 3. The transfer of the powers, duties, and functions of the employment agency advisory committee and the reciprocity commission pertaining to the functions transferred by section 1 of this act shall not affect the validity of any act performed by any employee, agent, or member prior to the effective date of this act.

NEW SECTION. Sec. 4. If apportionments of budgeted funds are required because of the transfers directed by this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 5. The state treasurer shall transfer the remaining fund balance within the opticians' account to the basic state general fund on June 30, 1983.

Sec. 6. Section 13, chapter 43, Laws of 1957 and RCW 18.34.130 are each amended to read as follows:

~~((There is created the opticians' account of the general fund:))~~ All fees required to be paid under the provisions of this chapter shall be paid to the state treasurer to be paid into the ~~((opticians' account of the))~~ state general fund.

Sec. 7. Section 10, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.100 are each amended to read as follows:

~~((Upon receipt of an application in the proper form for registration, the director shall immediately initiate an examination to determine that))~~ The following conditions apply to solicitations as defined by RCW 19.09.020:

(1) The cost of solicitation (including payments to professional fund raisers and professional solicitors and internal fund raising and solicitation salaries and expenses) during ~~((the))~~ any calendar year ~~((immediately preceding the date of application has not exceeded, or, for the specified year in which the application is submitted, will))~~ shall not exceed twenty percent of the total moneys, pledges, or other property raised or received or to be raised or received by reason of any solicitation and/or fund raising activities or campaigns. The term 'internal fund raising and solicitation salaries and expenses' shall include, but not be limited to, such portions of the charitable organization's salary and overhead expenses as is fairly allocable (on a time or other appropriate basis) to its solicitation and/or fund raising expense. As provided in RCW 19.09.020(5), the cost of solicitation shall not include the reasonable purchase price to the charitable organization of any tangible goods or services resold by the organization as a part of its fund-raising activities. The amount of such expenditure by the organization shall be deducted from the gross amount collected, or from the organization's support received directly from the public, prior to computing the percentage limitation. In the event special facts or circumstances are presented showing that expenses higher than twenty percent were not or will not be unreasonable, and the organization is primarily engaged in research, advocacy, or public education and uses its own paid staff to carry out these functions, the director ~~((has the discretion to))~~ shall allow such higher expense and ~~((enter))~~ issue an order ~~((registering the charitable organization))~~ so stating. Such an order shall be reviewed annually by the director. When such an order is ~~((entered))~~ issued, the cost of solicitation shall be disclosed by the organization to each person being solicited at the time of each solicitation. To further the purposes of this chapter, the director shall from time to time apprise the public of the names of those organizations for which ~~((discretionary action has been exercised in connection with the cost of solicitation limitations))~~ such an order has been issued. The director may require submission of any information necessary in making a determination whether to issue such an order. Compliance with this subsection is required prior to commencing solicitations;

(2) ~~((The))~~ A charitable organization ~~((has complied))~~ shall comply with all local governmental regulations which apply to soliciting for or on behalf of charitable organizations;

(3) The advertising material and the general promotional plan ~~((are))~~ for a solicitation shall not be false, misleading, or deceptive ~~((comply with the standards, rules, and regulations which the director may adopt;))~~ and shall afford full and fair disclosure;

(4) ~~((The))~~ Solicitations shall not be conducted by a charitable organization that has ~~((not)),~~ or if a corporation, its officers, directors, ~~((and))~~ or principals have ~~((not)),~~ been convicted of a crime involving

solicitations for or on behalf of a charitable organization in this state, the United States, or any other state or foreign country within the past ten years and has ~~((not))~~ been subject to any permanent injunction or administrative order or judgment, under the provisions of RCW 19.86.080 or 19.86.090, involving a violation or violations of the provisions of RCW 19.86.020, within the past ten years, or of restraining a false or misleading promotional plan involving solicitations for charitable organizations.

Sec. 8. Section 19, chapter 13, Laws of 1973 1st ex. sess. as amended by section 9, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.190 are each amended to read as follows:

Every person employed or retained as a professional fund raiser or professional solicitor by or for a charitable organization shall ~~((file with the director a valid registration or renewal of such registration. Applications for such registration shall be in writing, under oath, and in the form prescribed by the director. The form shall require information as to the identity and previous related activities of the registrant as may be necessary or appropriate for the public interest or for the protection of contributors. A corporation, partnership, or sole proprietorship which is a professional fund raiser or professional solicitor, may register for and pay a single fee on behalf of all its members, officers, agents, servants, and employees. However, the names and addresses of all officers, agents, servants, and employees of professional fund raisers and professional solicitors must be listed in the application. In addition, a professional fund raiser shall file, at the time of making application, with and have approved by the director))~~ execute a surety bond ~~((executed by the applicant))~~ as principal in the amount of five thousand dollars with one or more sureties whose liability in the aggregate as such sureties will at least equal the said sum. The bond shall run to ~~((the director for the use of))~~ the state and to any person who may have a cause of action against the obligor of said bond for any malfeasance or misfeasance in the conduct of such solicitation. ~~((The director or his designee shall examine each application, and if he finds it to be in conformity with the requirements of this chapter and all relevant rules and regulations he shall approve the registration. Any applicant who is denied registration may, within twenty days from the date of notification of such denial, request, in writing, a hearing, which hearing shall be held in accordance with the provisions of the administrative procedure act, chapter 34.04 RCW. Registration, when effected, shall be for a period of one year, or any part thereof, expiring on the last day of December and may be renewed for additional periods unless rejected for legally sufficient cause or for failure to file the bond prescribed in this section. The additional periods shall be for not more than one calendar year or such shorter period as the director may prescribe by regulation.))~~

Sec. 9. Section 20, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.200 are each amended to read as follows:

Charitable organizations and professional fund raisers ~~((, required to be registered under this chapter,))~~ shall maintain accurate, current, and readily available books and records at their usual business locations ~~((, as designated in the registration statement filed with the director,))~~ until at least three years shall have elapsed following the effective period to which they relate.

All contracts between professional fund raisers and charitable organizations shall be in writing and true and correct copies of such contracts or records thereof shall be kept on file in the various offices of the charitable organization and/or professional fund raiser for a three-year period as provided in this section. Such records and contracts shall be available for inspection and examination by the ~~((director))~~ attorney general or by the county prosecuting attorney. A copy of such contract or record shall be ~~((mailed to or filed with the director))~~ submitted by the charitable organization or professional fund raiser, within ten days, following receipt of a written demand therefor from the ~~((director))~~ attorney general or county prosecutor.

Sec. 10. Section 21, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.210 are each amended to read as follows:

~~((a) On or before the fifteenth day of the fifth month following the close of its fiscal year every charitable organization which is required to file a registration statement under RCW 19.09.060 and which has received contributions during the previous fiscal year shall file with the director))~~ Upon the request of the attorney general or the county prosecutor, a charitable organization shall submit a financial statement containing, but not limited to, the following information:

- (1) The gross amount of the contributions pledged and the gross amount collected.
- (2) The amount thereof, given or to be given to charitable purposes represented together with details as to the manner of distribution as may be required either by general rule or by specific written request of the director.
- (3) The aggregate amount paid and to be paid for the expenses of such solicitation.
- (4) The amounts paid to and to be paid to professional fund raisers and solicitors.
- (5) Copies of any annual or periodic reports furnished by the charitable organization, of its activities during or for the same fiscal period, to its parent organization, subsidiaries, or affiliates, if any.

~~((b) The director may prescribe such forms as may be necessary or convenient for the furnishing of such information. In addition, the director may require that within thirty days after the close of any special period of solicitation the charitable organization conducting such solicitation shall file a special report containing the information specified in this section for such special period of solicitation.))~~

Sec. 11. Section 23, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.230 are each amended to read as follows:

No ~~((person who is required to register under this chapter))~~ charitable organization, professional fund raiser, or professional solicitor shall knowingly use the name of any other person for the purpose of soliciting contributions from persons in this state without the written consent of such other person: **PROVIDED**, That such consent may be deemed to have been given by anyone who is a director, trustee, other officer, employee,

agent, professional fund raiser, or professional solicitor of (~~(such person registering under this chapter)~~) the charitable organization.

A person may be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure, or correspondence of the charitable organization or person or if such name is listed or represented to any one who has contributed to, sponsored, or endorsed the charitable organization or person, or its or his activities.

Sec. 12. Section 14, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.275 Are each amended to read as follows:

Any person who wilfully and knowingly violates any provisions of this (~~(act)~~) chapter or who shall wilfully and knowingly give false or incorrect information to the director, attorney general, or county prosecuting attorney in filing statements (~~(or reports)~~) required by this (~~(1977 amendatory act)~~) chapter, whether or not such statement or report is verified, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be sentenced for the first offense to pay a fine of not less than one hundred dollars and not more than two hundred and fifty dollars or be imprisoned in the county jail for not more than forty-five days, or both; and for the second and any subsequent offense, to pay a fine of not less than two hundred and fifty dollars and not more than five hundred dollars or be imprisoned in the county jail for not more than ninety days, or both.

Sec. 13. Section 34, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.340 are each amended to read as follows:

(1) The commission by any person of an act or practice prohibited by this chapter is hereby declared to be an unfair act or practice or unfair method of competition in the conduct of trade or commerce for the purpose of application of the Consumer Protection Act, chapter 19.86 RCW.

(2) The director may refer such evidence, as may be available to him, concerning violations of this chapter (~~(or of any rule or regulation adopted thereof,))~~) to the attorney general or the prosecuting attorney of the county wherein the alleged violation arose. In addition to any other action they might commence, the attorney general or the county (~~(prosecutor)~~) prosecuting attorney may bring an action in the name of the state, with or without such reference, against any person to restrain and prevent the doing of any act or practice prohibited by this chapter: PROVIDED, That this chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW, as now or hereafter amended, and the powers and duties of the attorney general and the prosecuting attorney as they may appear in the aforementioned chapters, shall apply against all persons subject to this chapter.

Sec. 14. Section 10, chapter 228, Laws of 1969 ex. sess. as amended by section 5, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.100 are each amended to read as follows:

(1) Every applicant for an employment agency's license or a renewal thereof shall file with the director a written application stating the name and address of the applicant; the street and number of the building in which the business of the employment agency is to be conducted; the name of the person who is to have the general management of the office; the name under which the business of the office is to be carried on; whether or not the applicant is pecuniarily interested in the business to be carried on under the license; shall be signed by the applicant and sworn to before a notary public; and shall identify anyone holding over twenty percent interest in the agency. If the applicant is a corporation, the application shall state the names and addresses of the officers and directors of the corporation, and shall be signed and sworn to by the president and secretary thereof. If the applicant is a partnership, the application shall also state the names and addresses of all partners therein, and shall be signed and sworn to by all of them. The application shall also state whether or not the applicant is, at the time of making the application, or has at any previous time been engaged in or interested in or employed by anyone engaged in the business of an employment agency.

(2) The application shall require a certification that no officer or holder of more than twenty percent interest in the business has been convicted of a felony within ten years of the application which directly relates to the business for which the license is sought, or had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion.

(3) All applications for employment agency licenses shall be accompanied by a copy of the form of contract and fee schedule to be used between the employment agency and the applicant.

(4) No license to operate an employment agency in this state shall be issued, transferred, renewed, or remain in effect, unless the person who has or is to have the general management of the office has qualified pursuant to this section. The director may, for good cause shown, waive the requirement imposed by this section for a period not to exceed one hundred and twenty days. Persons who have been previously licensed or who have operated to the satisfaction of the director for at least one year prior to September 21, 1977 as a general manager shall be entitled to operate for up to one year from such date before being required to qualify under this section. In order to qualify, such person shall, through testing procedures developed by the (~~(employment agency advisory board, show to the director's satisfaction)~~) director, show that such person has a knowledge of this law, pertinent labor laws, and laws against discrimination in employment in this state and of the United States. Said examination shall be given at least once each quarter and a fee for such examination shall be established by the director. Nothing in this chapter shall be construed to preclude any one natural person from being designated as the person who is to have the general management of up to three offices operated by any one licensee.

Sec. 15. Section 43.24.060, chapter 8, Laws of 1965 as last amended by section 98, chapter 158, Laws of 1979 and RCW 43.24.060 are each amended to read as follows:

(1) The director of licensing shall, from time to time, fix such times and places for holding examinations of applicants as may be convenient, and adopt general rules and regulations prescribing the method of conducting examinations.

The governor, from time to time, upon the request of the director of licensing, shall appoint examining committees, composed of three persons possessing the qualifications provided by law to conduct examinations of applicants for licenses to practice the respective professions or callings for which licenses are required.

The committees shall prepare the necessary lists of examination questions, conduct the examinations, which may be either oral or written, or partly oral and partly written, and shall make and file with the director of licensing lists, signed by all the members conducting the examination, showing the names and addresses of all applicants for licenses who have successfully passed the examination, and showing separately the names and addresses of the applicants who have failed to pass the examination, together with all examination questions and the written answers thereto submitted by the applicants.

Each member of a committee shall receive twenty-five dollars per day for each day spent in conducting the examination and in going to and returning from the place of examination, and travel expenses, in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(2) The director of licensing may appoint advisory committees to advise the department regarding the preparation of examinations for professional licensing and such other specific aspects of regulating the professions within the jurisdiction of the department as the director may designate. Such a committee and its members shall serve at the pleasure of the director.

Each member of an advisory committee shall receive reimbursement for travel expenses incurred in attending meetings of the committee in accordance with RCW 43.03.060.

Sec. 16, Section 21, chapter 266, Laws of 1971 ex. sess. as last amended by section 16, chapter 53, Laws of 1981 and RCW 43.24.085 are each amended to read as follows:

It shall be the policy of the state of Washington that the director of licensing shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or registration of professions, occupations, or businesses, administered by the business and professions administration in the department of licensing. In fixing said fees the director shall, insofar as is practicable, fix the fees relating to each profession, occupation, or business in such a manner that the income from each will match the anticipated expenses to be incurred in the administration of the laws relating to each such profession, occupation, or business. All such fees shall be fixed by rule and regulation adopted by the director in accordance with the provisions of the administrative procedure act, chapter 34.04 RCW: PROVIDED, That

(1) In no event shall the license or registration renewal fee in the following cases be fixed at an amount less than five dollars or in excess of fifteen dollars:

- Barber
- Student barber
- Cosmetologist (manager-operator)
- Cosmetologist (operator)
- Cosmetologist (instructor-operator)
- Apprentice embalmers
- Manicurist
- Apprentice funeral directors
- Registered nurse
- Licensed practical nurse
- ((Charitable organization
Professional solicitor));

(2) In no event shall the license or registration renewal fee in the following cases be fixed at an amount less than ten dollars or in excess of twenty dollars:

- Dental hygienist
- Barber instructor
- Barber manager instructor
- Psychologist
- Embalmer
- Funeral director
- Sanitarian
- Veterinarian
- Cosmetology shop
- Barber shop
- Proprietary school agent
- Specialized and advance registered nurse
- Physician's assistant
- Osteopathic physician's assistant;

(3) In no event shall the license or registration renewal fee in the following cases be fixed at an amount less than fifteen dollars or in excess of thirty-five dollars:

- Architect
- Dentist
- Engineer
- Land Surveyor

Midwife
 Podiatrist
 Chiropractor
 Drugless therapeutic
 Osteopathic physician
 Osteopathic physician and surgeon
 Physical therapist
 Physician and surgeon
 Optometrist
 Dispensing optician
 Landscape architect
 Nursing home administrator
 Hearing aid fitter;

(4) In no event shall the license or registration renewal fee in the following cases be fixed at an amount less than fifty dollars or in excess of two hundred dollars:

Engineer corporation
 Engineer partnership
 Cosmetology school
 Barber school
 Debt adjuster agency
 Debt adjuster branch office
 Debt adjuster
 Proprietary school
 Employment agency
 Employment agency branch office
 Collection agency
 Collection agency branch office
 ((Professional fund raiser)).

Sec. 17. Section 38, chapter 3, Laws of 1963 ex. sess. as last amended by section 7, chapter 235, Laws of 1977 ex. sess. and RCW 44.40.030 are each amended to read as follows:

In addition to the powers and duties heretofore conferred upon it, the legislative transportation committee may participate in: (1) The activities of committees of the council of state governments concerned with transportation activities; (2) activities of the national committee on uniform traffic laws and ordinances; (3) any interstate reciprocity or proration meetings designated by the ((Washington reciprocity commission)) department of licensing; and (4) such other organizations as it deems necessary and appropriate.

Sec. 18. Section 2, chapter 106, Laws of 1963 as amended by section 1, chapter 222, Laws of 1981 and RCW 46.85.020 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Commercial vehicle' means any vehicle which is operated in more than one state and used for the transportation of persons for hire, compensation, or profit, or designed or used primarily for the transportation of property.

(2) 'Jurisdiction' means and includes a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a foreign country, and a state or province of a foreign country.

(3) 'Owner' means a person who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee, or in the event a vehicle is subject to a lease, contract, or other legal arrangement vesting right of possession or control, for security or otherwise, or in the event a mortgagor of a vehicle is entitled to possession, then the owner shall be deemed to be such person in whom is vested right of possession or control.

(4) 'Properly registered,' as applied to place of registration, means:

(a) The jurisdiction where the person registering the vehicle has his legal residence; or

(b) In the case of a commercial vehicle, the jurisdiction in which it is registered if the commercial enterprise in which such vehicle is used has a place of business therein, and, if the vehicle is most frequently dispatched, garaged, serviced, maintained, operated, or otherwise controlled in or from such place of business, and, the vehicle has been assigned to such place of business; or

(c) In the case of a commercial vehicle, the jurisdiction where, because of an agreement or arrangement between two or more jurisdictions, or pursuant to a declaration, the vehicle has been registered as required by said jurisdiction.

In case of doubt or dispute as to the proper place of registration of a vehicle, the department shall make the final determination, but in making such determination, may confer with departments of the other jurisdictions affected.

(5) 'Fleet' means three or more commercial vehicles: PROVIDED, That the ((reciprocity commission)) department may require proportional registration and licensing of a fleet of less than three vehicles whenever in its judgment the interests of this state will be best served and protected thereby.

(6) The words 'department,' 'motor vehicle,' 'person,' and 'vehicle' each have the meanings ascribed to them, respectively, by RCW 46.04.690, 46.04.320, 46.04.405, and 46.04.670.

(7) 'Preceding year' means a period of twelve consecutive months fixed by the department which period shall be within the sixteen months immediately preceding the commencement of the registration or license year for which proportional registration is sought; and the department in fixing such period shall make it conform to the terms, conditions and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.

(8) 'Registration year' means the period from January 1st through December 31st of each calendar year.

Sec. 19. Section 3, chapter 106, Laws of 1963 as last amended by section 2, chapter 222, Laws of 1981 and RCW 46.85.030 are each amended to read as follows:

~~((1) The reciprocity commission, hereby created, shall consist of the director of licensing or a designee, the chief of the Washington state patrol or a designee, a designee of the state transportation commission, and, ex officio, the chairman and vice chairman of the legislative transportation committee or their duly designated representatives. The department shall provide such assistance and facilities to the commission as it may require. The members of the commission shall receive no additional compensation for their services except that they shall be allowed reimbursement for travel expenses incurred in the performance of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended to be paid from funds made available for the use of the commission.))~~ The ~~((commission))~~ department of licensing shall have the authority to execute agreements, arrangements, or declarations to carry out the provisions of this chapter.

~~((2))~~ The ~~((reciprocity commission))~~ department may enter into a multistate proportional registration agreement which prescribes a different definition of any terms defined in chapter 46.85 RCW. The agreement definition shall control unless appropriate exception is taken thereto.

If the ~~((reciprocity commission))~~ department enters into a multistate proportional registration agreement which prescribes a different procedure for vehicle identification, the agreement procedures shall control.

If the ~~((reciprocity commission))~~ department enters into a multistate proportional registration agreement which requires this state to perform acts in a quasi agency relationship, the department may collect and forward applicable registration fees and applications to other jurisdictions on behalf of the applicant or on behalf of another jurisdiction and may take such other action as will facilitate the administration of such agreement.

If the ~~((reciprocity commission))~~ department enters into a multistate proportional registration agreement which prescribes procedures applicable to vehicles not specifically described in chapter 46.85 RCW, such as but not limited to 'owner-operator' or 'rental' vehicles, it shall promulgate rules accomplishing the procedures prescribed in such agreement.

If the ~~((reciprocity commission))~~ department enters into a multistate proportional registration agreement which prohibits the collection of minimum fees or taxes provided for in this chapter or elsewhere for the ownership or operation of motor vehicles, the prohibitions contained in the agreement shall control.

It is the purpose and intent of this subsection to facilitate the membership in the International Registration Plan and at the same time allow the ~~((reciprocity commission))~~ department to continue to participate in such agreements and compacts as may be necessary and desirable in addition to the International Registration Plan.

Sec. 20. Section 4, chapter 106, Laws of 1963 and RCW 46.85.040 are each amended to read as follows:

The ~~((reciprocity commission))~~ department may enter into an agreement or arrangement with the duly authorized representatives of another jurisdiction, granting to vehicles or to owners of vehicles which are properly registered or licensed in such jurisdiction and for which evidence of compliance is supplied, benefits, privileges and exemptions from the payment, wholly or partially, of any taxes, fees, or other charges imposed upon such vehicles or owners with respect to the operation or ownership of such vehicles under the laws of this state, except gallonage taxes on motor fuels. Such an agreement or arrangement shall provide that vehicles properly registered or licensed in this state when operated upon highways of such other jurisdiction shall receive exemptions, benefits and privileges of a similar kind or to a similar degree as are extended to vehicles properly registered or licensed in such jurisdiction when operated in this state. Each such agreement or arrangement shall, in the judgment of the ~~((reciprocity commission))~~ department, be in the best interest of this state and the citizens thereof and shall be fair and equitable to this state and the citizens thereof, and all of the same shall be determined on the basis and recognition of the benefits which accrue to the economy of this state from the uninterrupted flow of commerce.

Sec. 21. Section 6, chapter 106, Laws of 1963 and RCW 46.85.060 are each amended to read as follows:

In the absence of an agreement or arrangement with another jurisdiction, the ~~((reciprocity commission))~~ department may examine the laws and requirements of such jurisdiction and declare the extent and nature of exemptions, benefits and privileges to be extended to vehicles properly registered or licensed in such other jurisdiction, or to the owners of such vehicles, which shall, in the judgment of the ~~((reciprocity commission))~~ department, be in the best interest of this state and the citizens thereof and which shall be fair and equitable to this state and the citizens thereof, and all of the same shall be determined on the basis and recognition of the benefits which accrue to the economy of this state from the uninterrupted flow of commerce.

Sec. 22. Section 10, chapter 106, Laws of 1963 as amended by section 114, chapter 32, Laws of 1967 and RCW 46.85.100 are each amended to read as follows:

All agreements, arrangements, or declarations or amendments thereto shall be in writing and shall be filed (~~(in the office of the reciprocity commission. A copy of each agreement, arrangement or declaration, or amendment thereto, shall be filed by the reciprocity commission in the office of the director within ten days after execution or the effective date of the instrument whichever is later)~~) with the department. Upon becoming effective, they shall supersede the provisions of RCW 46.16.030 to the extent that they are inconsistent therewith. The department shall provide copies for public distribution upon request.

Sec. 23. Section 27, chapter 106, Laws of 1963 and RCW 46.85.270 are each amended to read as follows:

The (~~(reciprocity commission)~~) department may require the display of a special reciprocity identification plate upon any commercial vehicle operating within this state under the provisions of any reciprocal agreement between this state and the state or other jurisdiction in which such vehicle is properly licensed: PROVIDED, That such reciprocal agreement is on file with the (~~(reciprocity commission)~~) department: PROVIDED FURTHER, That the issuance and display of such identification plate shall not be deemed to enlarge upon, restrict, or in any manner affect the terms or conditions of such reciprocal agreement.

NEW SECTION. Sec. 24. The following acts or parts of acts are each repealed:

- (1) Section 4, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.040;
- (2) Section 6, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.060;
- (3) Section 7, chapter 13, Laws of 1973 1st ex. sess., section 3, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.070;
- (4) Section 8, chapter 13, Laws of 1973 1st ex. sess., section 4, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.080;
- (5) Section 9, chapter 13, Laws of 1973 1st ex. sess., section 5, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.090;
- (6) Section 11, chapter 13, Laws of 1973 1st ex. sess., section 7, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.110;
- (7) Section 14, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.140;
- (8) Section 15, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.150;
- (9) Section 16, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.160;
- (10) Section 17, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.170;
- (11) Section 18, chapter 13, Laws of 1973 1st ex. sess., section 8, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.180;
- (12) Section 22, chapter 13, Laws of 1973 1st ex. sess., section 11, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.220;
- (13) Section 25, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.250;
- (14) Section 26, chapter 13, Laws of 1973 1st ex. sess., section 12, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.260;
- (15) Section 13, chapter 222, Laws of 1977 ex. sess., section 25, chapter 67, Laws of 1981 and RCW 19.09.265;
- (16) Section 27, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.270;
- (17) Section 28, chapter 13, Laws of 1973 1st ex. sess., section 15, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.280;
- (18) Section 16, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.285;
- (19) Section 29, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.290;
- (20) Section 30, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.300;
- (21) Section 31, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.310;
- (22) Section 32, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.320;
- (23) Section 35, chapter 13, Laws of 1973 1st ex. sess., section 89, chapter 30, Laws of 1975 1st ex. sess. and RCW 19.09.350;
- (24) Section 36, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.360;
- (25) Section 1, chapter 66, Laws of 1973 1st ex. sess., section 17, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.370;
- (26) Section 37, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.900; and
- (27) Section 20, chapter 228, Laws of 1969 ex. sess., section 9, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.200.

NEW SECTION. Sec. 25. Sections 5 and 6 of this act shall take effect June 30, 1983. The remaining sections of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect March 1, 1982.*

On page 1, line 1 of the title, strike everything after "state government;" and insert "amending section 13, chapter 43, Laws of 1957 and RCW 18.34.130; amending section 10, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.100; amending section 19, chapter 13, Laws of 1973 1st ex. sess. as amended by section 9, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.190; amending section 20, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.200; amending section 21, chapter 13, Laws of 1973 1st ex. sess. as last amended by section 10, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.210; amending section 23, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.230; amending section 14, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.275; amending section 34, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.340; amending section 10, chapter 228, Laws of 1969 ex. sess. as amended by section 5, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.100; amending section 43.24.060, chapter 8, Laws of 1965 as last amended by section 98, chapter 158, Laws of

1979 and RCW 43.24.060; amending section 21, chapter 266, Laws of 1971 ex. sess. as last amended by section 16, chapter 53, Laws of 1981 and RCW 43.24.085; amending section 38, chapter 3, Laws of 1963 ex. sess. as last amended by section 7, chapter 235, Laws of 1977 ex. sess. and RCW 44.40.030; amending section 2, chapter 106, Laws of 1963 as amended by section 1, chapter 222, Laws of 1981 and RCW 46.85.020; amending section 3, chapter 106, Laws of 1963 as last amended by section 2, chapter 222, Laws of 1981 and RCW 46.85.030; amending section 4, chapter 106, Laws of 1963 and RCW 46.85.040; amending section 6, chapter 106, Laws of 1963 and RCW 46.85.060; amending section 10, chapter 106, Laws of 1963 as amended by section 114, chapter 32, Laws of 1967 and RCW 46.85.100; amending section 27, chapter 106, Laws of 1963 and RCW 46.85.270; creating new sections; repealing section 4, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.040; repealing section 6, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.060; repealing section 7, chapter 13, Laws of 1973 1st ex. sess., section 3, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.070; repealing section 8, chapter 13, Laws of 1973 1st ex. sess., section 4, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.080; repealing section 9, chapter 13, Laws of 1973 1st ex. sess., section 5, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.090; repealing section 11, chapter 13, Laws of 1973 1st ex. sess., section 7, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.110; repealing section 14, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.140; repealing section 15, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.150; repealing section 16, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.160; repealing section 17, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.170; repealing section 18, chapter 13, Laws of 1973 1st ex. sess., section 8, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.180; repealing section 22, chapter 13, Laws of 1973 1st ex. sess., section 11, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.220; repealing section 25, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.250; repealing section 26, chapter 13, Laws of 1973 1st ex. sess., section 12, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.260; repealing section 13, chapter 222, Laws of 1977 ex. sess., section 25, chapter 67, Laws of 1981 and RCW 19.09.265; repealing section 27, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.270; repealing section 28, chapter 13, Laws of 1973 1st ex. sess., section 15, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.280; repealing section 16, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.285; repealing section 29, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.290; repealing section 30, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.300; repealing section 31, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.310; repealing section 32, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.320; repealing section 35, chapter 13, Laws of 1973 1st ex. sess., section 89, chapter 30, Laws of 1975 1st ex. sess. and RCW 19.09.350; repealing section 36, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.360; repealing section 1, chapter 66, Laws of 1973 1st ex. sess., section 17, chapter 222, Laws of 1977 ex. sess. and RCW 19.09.370; repealing section 37, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.900; repealing section 20, chapter 228, Laws of 1969 ex. sess., section 9, chapter 51, Laws of 1977 ex. sess. and RCW 19.31.200; providing effective dates; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Substitute House Bill No. 778.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 778 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 778 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinchart, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Ehlers, Eng, Garrett, Kaiser, Nelson D., Rust, Wang.

Substitute House Bill No. 778 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3297,
 SUBSTITUTE SENATE BILL NO. 3361,
 SUBSTITUTE SENATE BILL NO. 3617,
 SENATE BILL NO. 3795,
 SENATE BILL NO. 3944,
 SUBSTITUTE SENATE BILL NO. 4115,
 SENATE BILL NO. 4199,
 SENATE BILL NO. 4436,
 SUBSTITUTE SENATE BILL NO. 4438,
 SENATE BILL NO. 4468,
 SENATE BILL NO. 4507,
 SENATE BILL NO. 4544,
 SENATE BILL NO. 4584,
 SUBSTITUTE SENATE BILL NO. 4605,
 SENATE BILL NO. 4660,
 SUBSTITUTE SENATE BILL NO. 4663,
 SENATE BILL NO. 4680,
 SUBSTITUTE SENATE BILL NO. 4728,
 SUBSTITUTE SENATE BILL NO. 4786,
 SENATE BILL NO. 4905,
 SUBSTITUTE SENATE BILL NO. 4917,
 SENATE CONCURRENT RESOLUTION NO. 127.

MESSAGE FROM THE SENATE

March 10, 1982

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 923, and once again asks the House to concur, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Addison, the House insisted on its position with regard to Engrossed Substitute House Bill No. 923, and again asked the Senate to recede from their amendments.

SECOND READING

ENGROSSED SENATE BILL NO. 4661, by Senator Quigg (by Department of Employment Security request):

Modifying provisions relating to unemployment compensation.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 56th Day, March 7, 1982.)

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

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

Representatives Sanders, Brekke and Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4661 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, James, Johnson, Kaiser, King J.; King R.; Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D.,

Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Cantu, Flanagan, Houchen, Isaacson, Schmidt, Struthers.

Engrossed Senate Bill No. 4661 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please let the record show that I voted for Engrossed Senate Bill No. 4661. I had temporarily left my seat and my switch was set by someone else. Please record my vote as "Aye."

RAY ISAACSON, 8th District.

MOTION

On motion of Mr. Heck, Engrossed Senate Bill No. 4661 as amended by the House was ordered immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 313,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 436,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGES FROM THE SENATE

March 11, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 410,
SUBSTITUTE HOUSE BILL NO. 852,
ENGROSSED HOUSE BILL NO. 980,

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 42,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 4200, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4502, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4690, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has adopted:

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION
NO. 137,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 448,
 HOUSE BILL NO. 883,
 HOUSE BILL NO. 955,
 HOUSE BILL NO. 964,
 SUBSTITUTE SENATE BILL NO. 4200,
 SUBSTITUTE SENATE BILL NO. 4418,
 SENATE BILL NO. 4483,
 SUBSTITUTE SENATE BILL NO. 4502,
 SENATE BILL NO. 4522,
 SENATE BILL NO. 4547,
 SUBSTITUTE SENATE BILL NO. 4550,
 SENATE BILL NO. 4551,
 SENATE BILL NO. 4559,
 SENATE BILL NO. 4690,
 SENATE BILL NO. 4947,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 118,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 221,
 SUBSTITUTE HOUSE BILL NO. 313,
 HOUSE BILL NO. 410,
 SUBSTITUTE HOUSE BILL NO. 436,
 HOUSE BILL NO. 623,
 SUBSTITUTE HOUSE BILL NO. 696,
 HOUSE BILL NO. 822,
 SUBSTITUTE HOUSE BILL NO. 852,
 SUBSTITUTE HOUSE BILL NO. 888,
 HOUSE BILL NO. 894,
 HOUSE BILL NO. 980,
 SUBSTITUTE HOUSE BILL NO. 1006,
 SUBSTITUTE HOUSE BILL NO. 1012,
 HOUSE BILL NO. 1066,
 SUBSTITUTE HOUSE BILL NO. 1130,
 SUBSTITUTE HOUSE BILL NO. 1149,
 HOUSE BILL NO. 1162,
 HOUSE CONCURRENT RESOLUTION NO. 42,
 SUBSTITUTE SENATE BILL NO. 4200,
 SUBSTITUTE SENATE BILL NO. 4418,
 SENATE BILL NO. 4483,
 SUBSTITUTE SENATE BILL NO. 4502,
 SENATE BILL NO. 4522,
 SENATE BILL NO. 4547,
 SUBSTITUTE SENATE BILL NO. 4550,
 SENATE BILL NO. 4551,
 SENATE BILL NO. 4559,
 SENATE BILL NO. 4690,
 SENATE BILL NO. 4947,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 118.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-156, by Representative Nelson, G:

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House is ready to adjourn sine die.

On motion of Mr. Nelson (G), the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with the terms of House Resolution NO. 82-156, the Speaker appointed Representatives Gallagher, Hankins and Fiske to notify the Senate that the House was ready to adjourn *sine die*.

HOUSE RESOLUTION NO. 82-155, by Representatives Hastings, Heck, Ehlers, Nelson (G), Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King, (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson, (D), Nickell, Nisbet, North, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, There is one member of this House who has undoubtedly — due to his length of service and attentive nature — accumulated a substantial wealth of knowledge about this operation; and

WHEREAS, That knowledge probably surpasses the combined information contained in the heads of all of the other ninety-seven members of the 1982 edition of this body; and

WHEREAS, This member has served on all major legislative committees; as minority and majority leader; not to mention four terms as Speaker of the House; and

WHEREAS, It is recognized throughout these halls that there is probably no other man in the history of our great state who has ever possessed such extensive familiarity with the process of state government and parliamentary procedures; and

WHEREAS, This member has devoted a significant portion of his life to the finer things in life — like art and literature — not necessarily in that order; and

WHEREAS, After almost forty-two years as a member of this hallowed institution, this legislator has yet to place his knowledge on any sort of document available to the general public;

NOW, THEREFORE, BE IT RESOLVED, That John L. O'Brien, Democratic State Representative from the 35th — or is it 37th District — of King County be compelled through this document to sit down with pen and paper during the interim and begin writing a book about his experiences in this legislature; and

BE IT FURTHER RESOLVED, That when this book is written the names be changed to protect the innocent; and

BE IT FURTHER RESOLVED, That Representative O'Brien be required to immediately respond to this demand on the floor of the House after this resolution is approved — assuming it is; and

BE IT FURTHER RESOLVED, That a copy of this resolution be hand delivered by the Chief Clerk of the House of Representatives to Representative O'Brien and mailed to all the members of his rather large family, so that they may also apply some pressure on him to get started on what is bound to be as good as Profiles In Courage or One Flew Over the Cuckoo's Nest.

Mr. Hastings moved adoption of the resolution. Representatives Hastings and Nelson (G) spoke in favor of the resolution.

POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Nelson (G).

Mr. Nelson (G): "Representative O'Brien, as indicated by Representative Hastings, he's looking forward to your bringing forth to this body some memoirs and some items you could share with everyone in this state regarding your experiences in this legislative assembly. We're wondering if you have any idea what the cost is going to be to put that all together? It might turn out that we can, perhaps, help with some appropriation—not promising, mind you—but I'm wondering if you have any idea what it will cost to put that 'rogue's volume' together?"

Mr. O'Brien: "Of course, this is all a great surprise. I have had great experiences, as I think all of us have. To be a member of this body and to be exposed to so many fine people on

both sides of the aisle who come from every walk of life, all parts of our state, and the experiences and the knowledge gained by this sort of relationship is just invaluable. It makes it all worthwhile. Sometimes we get a little bit frustrated in our efforts, and we think the operation could go a little bit better and more efficiently, but ever since I've been here, we've had problems. We've had problems like this in the last days of every session.

"Getting back to your point about the costs. There's a multitude of things that have happened to me, I can assure you, in these legislative chambers—great experiences—great experiences outside these chambers, too, and some very outstanding investigations that I've been involved with over a period of time. It would be hard for me, right now, to enumerate all of them, but I've been involved in the World's Fair investigation in Seattle, John Cherberg's firing investigation up at the University of Washington, the investigation on the Port of Seattle. Of course, I was involved with the coalition that happened to me right here on the floor of the House—another great experience. The murals have been another great experience.

"Of course, in some of the earlier days I had experiences, too, like some of you people who come down here for the first time. I know what it means to come here and have the medals. The first time I came to the Legislature, I know I was very close to the Speaker of the House, and he told me the first sixty days I was going to be a king, I was going to have a medal, that everybody was just going to honor me and after the sixty days, the medals come off. We do have that kind of experience, of course, in being here in a world all of our own with the relationships that we have with each other and it's great. I think I've learned this much about it: You have to respect each and everyone's different attitudes and viewpoints. Maybe they don't coincide with yours, but when that roll call is going against you, and you see that thing popping up there red, you might as well ride with it because there's nothing you can do and maybe the next time you're going to be on the positive side.

"Anyway, I certainly appreciate this Resolution and I know Representative Hastings has talked to me about this book and putting something together. I have a great interest in the history of Washington and the now-retired Hugh Bone, who is a great historian and has a great interest in government and political science, has talked to me on the thought that some part of this should be in the record.

"I suppose one great thing that happened was the four-day filibuster in 1961 that I was involved with here. It was the longest filibuster in the history of the state. We prevailed after Avery Garrett was here and a few more, and that was also a great moment and occasion. Let me try to do it. Maybe I can get a writer out of somewhere. Many of my papers are out at the University of Washington. They asked for my records some time ago. It would be interesting, there's no question about it. I just ran into some papers the other day about some of the things that have occurred. All I can tell you is that I've had all of the honors any legislator could have, being President of the National Conference of State Legislative Leaders, like Gary Nelson talked about, and meeting so many fine people from throughout the United States. It has been a great experience and having to come here to our state on three different occasions, I was chairman of the committee that handled conventions for legislators.

"Anyway, you're a great group; leaders in your own communities and you have the conviction of power to do the things that, I think in your opinions, are right, and I know I relish the experience. I don't think any legislator could have any better experiences than I've had with people like yourselves. Even tonight I was talking about apples being shipped through the Port of Seattle, and we're talking about digging for oil. I just point this out—the great multitude of things that have happened here and the great variety of issues and topics that make it so tremendously interesting.

"I want to thank all of you from the bottom of my heart for this Resolution, and I will try to do something about the many things that have happened and the experiences I've had here in the Legislature. Thank you very much."

Representative Ehlers spoke in favor of the resolution.

House Resolution No. 82-155 was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 778,
SUBSTITUTE HOUSE BILL NO. 922.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "Mr. Speaker, I rise to a point of inquiry. I have in front of me the Governor's Proclamation delivered to us this evening. In his proclamation, the Governor lists those subject areas to be considered by the legislature and states this extraordinary session shall not last longer than ten days. My point of inquiry is: May the Governor limit this House to subject and/or time?"

SPEAKER'S REPLY

The Speaker: "Representative Ehlers, Article II, Section 12 of our State Constitution as amended by the 68th amendment, provides that special legislative sessions may be convened for a period not more than thirty consecutive days by proclamation of the Governor. It also provides that the resolution concerning the legislature shall specify a purpose or purposes for the convening of the special session and notes that the specification of purpose by the Governor shall be considered by the Legislature but shall not be mandatory.

"In answer to your point of parliamentary inquiry, therefore, the Speaker would rule that, in accordance with the State Constitution, the Governor may not limit the subject matter that this body may consider during a special session and may not restrict the Legislature's time to act to less than the thirty days given to us by the Constitution."

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 48, by Representative Nelson (G):

Notifying the Governor that the Legislature is about to adjourn sine die.

On motion of Mr. Nelson (G), the rules were suspended, and the resolution was advanced to second reading and read the second time in full.

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

APPOINTMENT OF SPECIAL COMMITTEE

In accordance of the terms of House Concurrent Resolution No. 48, the Speaker appointed Representatives Stratton, Fancher and Bond to notify the Governor that the Legislature was ready to adjourn sine die.

MESSAGES FROM THE SENATE

March 11, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 221,
SUBSTITUTE HOUSE BILL NO. 313,
HOUSE BILL NO. 410,
SUBSTITUTE HOUSE BILL NO. 436,
HOUSE BILL NO. 623,
SUBSTITUTE HOUSE BILL NO. 696,
SUBSTITUTE HOUSE BILL NO. 778,
HOUSE BILL NO. 822,
SUBSTITUTE HOUSE BILL NO. 852,
SUBSTITUTE HOUSE BILL NO. 888,
HOUSE BILL NO. 894,
SUBSTITUTE HOUSE BILL NO. 922,
HOUSE BILL NO. 980,
SUBSTITUTE HOUSE BILL NO. 1006,
SUBSTITUTE HOUSE BILL NO. 1012,

HOUSE BILL NO. 1066,
 SUBSTITUTE HOUSE BILL NO. 1130,
 SUBSTITUTE HOUSE BILL NO. 1149,
 HOUSE BILL NO. 1162,

HOUSE CONCURRENT RESOLUTION NO. 42,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 148, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3242, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate has concurred with the House amendments to SENATE BILL NO. 3394, except the amendment on page 1, line 13, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3946, to page 2, line 35 and page 3, line 27, and refused to concur in the amendment to page 4, line 1, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 4025, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4153, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 4201, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4492, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 9, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4640, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4675, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 11, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 4717, except for section 2, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4733, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 10, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

COMMITTEE FROM SENATE

A committee from the Senate, comprised of Senators Zimmerman, Patterson and Woody appeared at the bar of the House and notified the House that the Senate was ready to adjourn sine die.

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 148, by Senators Hayner, Jones, Bottiger and Fleming:

Transmittal of bills upon adjournment sine die.

On motion of Mr. Nelson (G), the rules were suspended, and the resolution was advanced to second reading and read the second time in full.

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

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was ready to adjourn sine die appeared before the bar of the House and reported they had accomplished their mission.

The report was received, and the committee was discharged.

POINT OF PERSONAL PRIVILEGE

Mr. Fiske: "I would like to convey to all of you, on behalf of my family, how much your prayers and support have meant to me and kept me going in these last few difficult weeks. It's with a great deal of emotion and excitement that I report to you that, as many of you know, my son, David, was completely paralyzed for over three weeks and last Friday he began recovering. At 3 o'clock this afternoon my son David walked. Praise the Lord."

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Governor that the Legislature was about to adjourn sine die appeared at the bar of the House and reported. The report was received, and the committee was discharged.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 148,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 48,

SENATE CONCURRENT RESOLUTION NO. 148.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

Under the provisions of Senate Concurrent Resolution No. 148, the Senate herewith returns the following House Bills:

SUBSTITUTE HOUSE BILL NO. 1,
 HOUSE BILL NO. 4,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 11,
 SUBSTITUTE HOUSE BILL NO. 17,
 SUBSTITUTE HOUSE BILL NO. 43,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 78,
 SUBSTITUTE HOUSE BILL NO. 115,
 SUBSTITUTE HOUSE BILL NO. 148,
 ENGROSSED HOUSE BILL NO. 151,
 SUBSTITUTE HOUSE BILL NO. 213,
 ENGROSSED HOUSE BILL NO. 223,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 226,
 HOUSE BILL NO. 273,
 SUBSTITUTE HOUSE BILL NO. 274,
 SUBSTITUTE HOUSE BILL NO. 279,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 288,
 SUBSTITUTE HOUSE BILL NO. 293,
 HOUSE BILL NO. 319,
 HOUSE BILL NO. 361,
 ENGROSSED HOUSE BILL NO. 386,
 SECOND SUBSTITUTE HOUSE BILL NO. 424,
 ENGROSSED HOUSE BILL NO. 439,
 SUBSTITUTE HOUSE BILL NO. 451,
 HOUSE BILL NO. 458,
 HOUSE BILL NO. 461,
 ENGROSSED HOUSE BILL NO. 470,
 HOUSE BILL NO. 472,
 HOUSE BILL NO. 494,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 506,
 ENGROSSED HOUSE BILL NO. 519,
 ENGROSSED HOUSE BILL NO. 527,
 HOUSE BILL NO. 563,
 ENGROSSED HOUSE BILL NO. 569,
 HOUSE BILL NO. 576,
 SUBSTITUTE HOUSE BILL NO. 612,
 SUBSTITUTE HOUSE BILL NO. 634,
 ENGROSSED HOUSE BILL NO. 641,
 ENGROSSED HOUSE BILL NO. 660,
 HOUSE BILL NO. 682,
 HOUSE BILL NO. 706,
 SUBSTITUTE HOUSE BILL NO. 709,
 SUBSTITUTE HOUSE BILL NO. 733,
 HOUSE BILL NO. 736,
 HOUSE BILL NO. 765,
 ENGROSSED HOUSE BILL NO. 795,
 HOUSE BILL NO. 796,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 820,

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ENGROSSED HOUSE BILL NO. 825,
 SUBSTITUTE HOUSE BILL NO. 835,
 HOUSE BILL NO. 836,
 SUBSTITUTE HOUSE BILL NO. 840,
 HOUSE BILL NO. 841,
 ENGROSSED HOUSE BILL NO. 842,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 857,
 HOUSE BILL NO. 865,
 SUBSTITUTE HOUSE BILL NO. 869,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 870,
 REENGROSSED HOUSE BILL NO. 885,
 SUBSTITUTE HOUSE BILL NO. 890,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 892,
 SUBSTITUTE HOUSE BILL NO. 893,
 SUBSTITUTE HOUSE BILL NO. 898,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 900,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 905,
 SECOND SUBSTITUTE HOUSE BILL NO. 906,
 SUBSTITUTE HOUSE BILL NO. 914,
 ENGROSSED HOUSE BILL NO. 915,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 923,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 926,
 SUBSTITUTE HOUSE BILL NO. 932,
 HOUSE BILL NO. 933,
 HOUSE BILL NO. 935,
 HOUSE BILL NO. 950,
 SUBSTITUTE HOUSE BILL NO. 956,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 957,
 HOUSE BILL NO. 960,
 SUBSTITUTE HOUSE BILL NO. 961,
 HOUSE BILL NO. 966,
 HOUSE BILL NO. 968,
 HOUSE BILL NO. 970,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 973,
 SUBSTITUTE HOUSE BILL NO. 977,
 ENGROSSED HOUSE BILL NO. 986,
 HOUSE BILL NO. 991,
 HOUSE BILL NO. 997,
 HOUSE BILL NO. 1000,
 ENGROSSED HOUSE BILL NO. 1002,
 SUBSTITUTE HOUSE BILL NO. 1007,
 SUBSTITUTE HOUSE BILL NO. 1014,
 HOUSE BILL NO. 1023,
 HOUSE BILL NO. 1033,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039,
 SUBSTITUTE HOUSE BILL NO. 1048,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053,
 ENGROSSED HOUSE BILL NO. 1058,
 SUBSTITUTE HOUSE BILL NO. 1069,
 HOUSE BILL NO. 1071,
 HOUSE BILL NO. 1078,
 HOUSE BILL NO. 1080,
 HOUSE BILL NO. 1084,
 ENGROSSED HOUSE BILL NO. 1087,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 1098,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1103,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105,
 SUBSTITUTE HOUSE BILL NO. 1109,
 HOUSE BILL NO. 1119,
 SUBSTITUTE HOUSE BILL NO. 1122,
 HOUSE BILL NO. 1123,
 SUBSTITUTE HOUSE BILL NO. 1125,
 SUBSTITUTE HOUSE BILL NO. 1128,
 HOUSE BILL NO. 1129,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1134,
 SUBSTITUTE HOUSE BILL NO. 1140,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141,

SUBSTITUTE HOUSE BILL NO. 1150,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156,
 SUBSTITUTE HOUSE BILL NO. 1158,
 SUBSTITUTE HOUSE BILL NO. 1165,
 ENGROSSED HOUSE BILL NO. 1173,
 ENGROSSED HOUSE BILL NO. 1178,
 HOUSE BILL NO. 1180,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217,
 HOUSE BILL NO. 1231,
 HOUSE JOINT MEMORIAL NO. 20,
 ENGROSSED HOUSE JOINT MEMORIAL NO. 22,
 HOUSE JOINT MEMORIAL NO. 24,
 ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13,
 HOUSE JOINT RESOLUTION NO. 20,
 HOUSE CONCURRENT RESOLUTION NO. 37,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

STATEMENT FOR THE JOURNAL

My wife, Laura, and I are expecting the birth of our third child at any time. The original due date was today, March 11. I will be leaving tomorrow morning for Spokane to be with Laura and request an excused absence for as long as I am gone.

MIKE PADDEN, 4th District.

MESSAGE FROM THE SENATE

March 11, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 48,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), reading of the Journal of the Sixtieth Day of the 1982 Regular Session was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. Nelson (G), the House of Representatives of the 1982 Regular Session of the Forty-seventh Legislature adjourned sine die.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIRST DAY
1982 FIRST SPECIAL SESSION

NOON SESSION

House Chamber, Olympia, Wash., Friday, March 12, 1982.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representatives Lundquist and Padden, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Terri Stevens and Jenny Howard. Prayer was offered by The Reverend Lester Olson, Gloria Dei Lutheran Church of Olympia.

PROCLAMATION BY THE GOVERNOR

The Washington State Legislature has all but concluded the 1982 Regular Session without resolving the major issues critical to our state. It is therefore necessary for me to convene the Legislature in extraordinary session for the purpose of addressing only the following:

- The state budget;
- State and local revenues;
- Unemployment insurance;
- New state correctional facilities;
- The Washington Public Power Supply System;
- Ferry-labor relations;
- Bills in dispute.

NOW, THEREFORE, I, John Spellman, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary (special) session for a period not to exceed ten days in the Capitol at Olympia at 12:00 noon on March 12, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 11th day of March, A.D. nineteen hundred and eighty-two.

(Washington State Seal)

JOHN SPELLMAN, Governor.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "Mr. Speaker, in his proclamation, the Governor lists those subject areas to be considered by the Legislature and states that the extraordinary session shall not last longer than ten days. My point of inquiry is: May the Governor limit this House to subject and/or time?"

The Speaker: "Representative Ehlers, Article II, Section 12 of our State Constitution as amended by the 68th Amendment, provides that special legislative sessions may be convened for a period of time not more than thirty consecutive days by a proclamation of the Governor. It also provides that the resolution concerning the legislature shall specify purpose or purposes for the convening of the special session and notes that specification of purpose shall be considered by the legislature, but shall not be mandatory. In answer to your point of parliamentary inquiry, the Speaker would rule that in accordance with the State Constitution, the Governor may not limit the subject matter this body may consider and may not restrict the legislature's time to act to less than thirty days given to us by the Constitution."

The Speaker advanced the House to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-159, by Representative Nelson (G):

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

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

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives Barnes, Hine and Nickell to notify the Senate that the House was organized and ready for business.

COMMITTEE FROM SENATE

A committee from the Senate, Senators Guess, Rasmussen and Sellar, appeared at the bar of the House and reported that the Senate was organized and ready for business.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 49, by Representative Nelson (G):

Notifying the Governor that the Legislature is organized.

MOTION

On motion of Mr. Hastings, the rules were suspended, and House Concurrent Resolution No. 49 was advanced to second reading and read the second time in full.

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

House Concurrent Resolution No. 49 was adopted.

APPOINTMENT OF COMMITTEE

The Speaker appointed Representatives McCormick, Leonard and Vander Stoep to notify the Governor that the Legislature was organized and ready for business.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the terms of House Resolution No. 82-159, appeared at the bar of the House and reported that they had notified the Senate the House was organized.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The committee appointed under the terms of House Concurrent Resolution No. 49, appeared at the bar of the House and reported that the Governor had been notified that the Legislature was organized.

The report was received and the committee was discharged.

The Speaker declared the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Padden, who was excused.

MESSAGES FROM THE GOVERNOR

March 4, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 4, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 720: Relating to human remains, donees, gifts;

HOUSE BILL NO. 884: Relating to correcting double amendments.

Sincerely,
Marilyn Showalter, Counsel.

March 8, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 8, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 46: Relating to food fish and shellfish;

SUBSTITUTE HOUSE BILL NO. 449: Relating to certain expenses for the general determination of water rights;

HOUSE BILL NO. 500: Relating to statutory construction;

HOUSE BILL NO. 896: Relating to snowmobiles.

Sincerely,
Marilyn Showalter, Counsel.

March 11, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 4, 1982, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 174: Relating to the practice of podiatry;

HOUSE BILL NO. 289: Relating to police dogs;

HOUSE BILL NO. 330: Relating to preliminary plats;

HOUSE BILL NO. 554: Relating to the financing of municipal utilities;

HOUSE BILL NO. 1067: Relating to Model Traffic Ordinance.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

March 12, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 149,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 12, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 49,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 149, by Senators Hayner, Jones, Bottiger and Fleming:

Reintroducing bills for the 1982 First Special Session.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution No. 149 was advanced to second reading and read the second time in full.

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

Senate Concurrent Resolution No. 149 was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 49.

MESSAGE FROM THE SENATE

March 12, 1982

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 150,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 150, by Senators Hayner, Jones, Bottiger and Fleming:

Specifying subjects to be considered in 1982 First Special Session.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and Engrossed Senate Concurrent Resolution No. 150 was advanced to second reading and read the second time in full.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Heck, Grimm and King (J):

On page 1, line 5 after "issues;" insert "jobs and employment enhancement issues;"

Representatives Ehlers and Heck spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Ehlers, Representative Nelson said that the idea behind this amendment is certainly laudable because we know that if we get people working, then the revenues will be coming in. You said that there is no specific bill, as did Representative Heck, but Representative Heck said there were several others besides Senate Bill 4661 that Representative Nelson spoke about. Could you tell me the other bills you are thinking about that we could consider?"

Mr. Ehlers: "Senate Bill 4761, which is a tax incentive; high unemployment areas, which is one of your package, I believe; House Bill 906, community revitalization board and HJR 21, community redevelopment bonds, which are also in your package—those are some of the examples and there may be additional ones. Those are the kinds of things we're talking about that we think are important. Some of them may fit under the fiscal definition, but some of our people aren't sure that they do, Representative Hastings, and we want to make sure that we don't preclude consideration of those important bills."

Mr. Hastings spoke against the amendment, and Mr. Ehlers spoke again in favor of it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to Engrossed Senate Concurrent Resolution No. 150, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Padden.

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

Engrossed Senate Concurrent Resolution No. 150 was adopted.

MESSAGE FROM THE SENATE

March 12, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3242,
ENGROSSED SENATE BILL NO. 3916,
SENATE BILL NO. 4025,
SUBSTITUTE SENATE BILL NO. 4153,
SUBSTITUTE SENATE BILL NO. 4201,
ENGROSSED SENATE BILL NO. 4492,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4675,
SENATE BILL NO. 4717,
ENGROSSED SUBSTITUTE SENATE BILL NO. 4963,

and the same are herewith transmitted.

Marilyn Brachtenbach, Secretary.

MOTION

On motion of Mr. Nelson (G), the Rules Committee was relieved of the following bills and they were placed on the third reading calendar: REENGROSSED HOUSE BILL NO. 286, HOUSE BILL NO. 600; HOUSE BILL NO. 854, ENGROSSED SUBSTITUTE HOUSE BILL NO. 923, HOUSE BILL NO. 935, HOUSE BILL NO. 967, and HOUSE BILL NO. 1084.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 600, by Committee on Ethics, Law and Justice and Representatives Ellis, Patrick, Schmidt, Becker, Tilly, Winsley, Bickham, Pruitt and Granlund:

Making various changes in criminal laws.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 600, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Padden.

House Bill No. 600, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 854, by Committee on Transportation and Representative Wilson (by Department of Transportation request):

Permitting motor fuel distributors to omit gas tax from the selling price.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 854, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson,

Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Padden.

House Bill No. 854, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 923, by Committee on State Government (originally sponsored by Representatives Addison, Fiske, Salatino, Garson, Walk, Johnson, Nelson, D., Nickell, Kaiser, Hankins, Nelson, G., Greengo, Nisbet, Barr, Teutsch, Ellis, Sanders, Houchen, Hastings, Chandler, Bickham, McDonald, Mitchell, Tilly, Amen, Barnes, Barrett, Stratton, Hine and O'Brien - by Governor Spellman request):

Creating a state center for voluntary action.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 923, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Leonard, Pruitt, Thompson.

Not voting: Representative Padden.

Engrossed Substitute House Bill No. 923, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 935, by Committee on Financial Institutions and Insurance and Representative Dawson (by Department of General Administration request):

Revising fees for bank examinations.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 935, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative Padden.

House Bill No. 935, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 967, by Committee on Institutions and Representatives Houchen, Owen, Struthers and Clayton (by Department of Corrections request):

Providing additional conditions for prisoners' leave of absence.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 967, and the bill passed the House by the following vote: Yeas, 88; nays, 7; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, King R., McDonald, Monohon, Rinehart, Stratton, Teutsch.

Not voting: Representatives Brown, Padden, Salatino.

House Bill No. 967, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1084, by Committee on Education and Representative Taylor (by State Board of Education request):

Clarifying law relating to terms and qualifications of state board of education members.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1084, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Leonard, Stratton.

Not voting: Representative Padden.

House Bill No. 1084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 286, by Representatives Teutsch, Brekke, Mitchell, Valle, Williams, Wang, King (J), Tilly, Rinehart, Thompson, Sommers, McDonald, Stratton, Pruitt, Nisbet, Chamberlain, Winsley, Sanders, Ehlers, Sherman, Patrick, Lux, Isaacson, Eng, Greengo, Gruger, Tupper, Garrett, Wilson, Maxie, Erickson, Eberle, Heck, Granlund, Kreidler, Hine, Burns and Rust:

Continuing the displaced homemakers program.

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

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 286, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bond, Dickie, Flanagan.

Not voting: Representative Padden.

Reengrossed House Bill No. 286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I respectfully request to be excused from the legislative session for part of the 12th Day of March to attend the funeral of my mother-in-law, Lilly Butler.

Will you please read into the Journal the reason for my absence.

HOMER LUNDQUIST, 40th District.

MOTION

On motion of Mr. Nelson (G), the House recessed until 10:00 a.m., Monday, March 15, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FOURTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, March 15, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barr, Fiske and Winsley, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Janice Mulvanen and Mike Cox. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

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

MESSAGE FROM THE GOVERNOR

March 12, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 12, 1982, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 70: Relating to recreational fishing;

HOUSE BILL NO. 131: Relating to public lands;

SUBSTITUTE HOUSE BILL NO. 135: Relating to forest protection;

SUBSTITUTE HOUSE BILL NO. 751: Relating to salaries of part-time justices of the peace;

SUBSTITUTE HOUSE BILL NO. 946: Relating to the traffic safety commission.

Sincerely,
Marilyn Showalter, Counsel.

INTRODUCTIONS AND FIRST READING

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

ENGROSSED SENATE BILL NO. 3916, by Senators Quigg and Goltz:

Requiring modification of shoreline classifications to reflect changed circumstances.

SENATE BILL NO. 4025, by Senators Jones and Fleming:

Vacating Smith's Cove waterway.

SUBSTITUTE SENATE BILL NO. 4153, by Committee on Judiciary (originally sponsored by Senator Pullen):

Permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license.

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating the valuation of insurance and nonforfeiture of life insurance.

ENGROSSED SENATE BILL NO. 4492, by Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request):

Excluding all parking offenses from additional penalty assessments.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing the law relating to state apportionment for pupil transportation.

SENATE BILL NO. 4717, by Senators Lee, Shipoch and Metcalf:

Giving free copies of state statutes and rules to legislative committees.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, by Committee on Transportation (originally sponsored by Senators von Reichbauer and Talley):

Authorizing an extended industrial development levy by port districts.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and the bills listed on today's agenda under the fourth order of business were advanced to second reading and placed on today's second reading calendar.

SECOND READING

ENGROSSED SENATE BILL NO. 3242, by Senators Craswell and Gaspard:

Making miscellaneous changes in law relating to education.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3242 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 33; not voting, 10.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nisbet, O'Brien, Padden, Prince, Rosbach, Rust, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Eberle, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, Monohon, Nelson D., North, Owen, Patrick, Pruitt, Rinehart, Scott, Sherman, Stratton, Teutsch, Walk.

Not voting: Representatives Barr, Chandler, Eng, Fiske, Nickell, Salatino, Tilly, Wang, Warnke, Winsley.

Engrossed Senate Bill No. 3242 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3916, by Senators Quigg and Goltz:

Requiring modification of shoreline classifications to reflect changed circumstances.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3916 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 17; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tupper, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brekke, Brown, Burns, Cole, Ehlers, Gallagher, Garrett, Kaiser, Lux, Nelson D., Pruitt, Rinehart, Rust, Sherman, Teutsch, Valle, Wang.

Not voting: Representatives Barr, Chandler, Eng, Fiske, Nickell, Salatino, Tilly, Warnke, Winsley.

Engrossed Senate Bill No. 3916 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4025, by Senators Jones and Fleming:

Vacating Smith's Cove waterway.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4025 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Amen, Barnes, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Brekke, Burns, Cole, Garrett, Greengo, Grimm, Nelson D., North, Rinehart, Rust, Sommers, Tupper, Walk, Wang.

Not voting: Representatives Barr, Eng, Fiske, Nickell, Salatino, Tilly, Warnke, Winsley.

Senate Bill No. 4025 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, by Committee on Education (originally sponsored by Senator Kiskaddon):

Implementing law relating to state apportionment for pupil transportation.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

POINT OF INQUIRY

Mr. Nelson (G), yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Nelson, are these the amendments that were put on by the House committee?"

Mr. Nelson (G): "Yes, Representative Taylor, it would have all committee amendments and all floor amendments that had been adopted on second reading of the bill during the regular session."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substituted Senate Bill No. 4675 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 9; not voting, 8.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Bender, Brown, Cole, Gallagher, Heck, King R., Rust, Wang.

Not voting: Representatives Barr, Eng, Fiske, Nickell, Salatino, Tilly, Warnke, Winsley.

Engrossed Substitute Senate Bill No. 4675 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 4717, by Senators Lee, Shinpoch and Metcalf:

Giving free copies of state statutes and rules to legislative committees.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4717 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barr, Eng, Fiske, Nickell, Tilly, Warnke, Winsley.

Senate Bill No. 4717 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, by Committee on Transportation (originally sponsored by Senators von Reichbauer and Talley):

Authorizing an extended industrial development levy by port districts.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill, with House amendments adopted in the Regular Session, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4963 as amended by the House, and the bill passed the House by the following vote: Yeas, 78; nays, 13; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., King R., Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brown, Burns, Ehlers, Garrett, Grimm, James, Kaiser, Kreidler, Martinis, North, Rinehart, Salatino, Walk.

Not voting: Representatives Barr, Eng, Fiske, Nickell, Tilly, Warnke, Winsley.

Engrossed Substitute Senate Bill No. 4963 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

On motion of Mr. Nelson (G), Rules Committee was relieved of SUBSTITUTE HOUSE BILL NO. 1, HOUSE BILL NO. 765, ENGROSSED HOUSE BILL NO. 795, HOUSE BILL NO. 796, SUBSTITUTE HOUSE BILL NO. 840, ENGROSSED SUBSTITUTE HOUSE BILL NO. 857, SUBSTITUTE HOUSE BILL NO. 869, ENGROSSED HOUSE BILL NO. 885, SECOND SUBSTITUTE HOUSE BILL NO. 906 and ENGROSSED SUBSTITUTE HOUSE BILL NO. 926, and the bills were placed on today's third reading calendar.

SUBSTITUTE HOUSE BILL NO. 1, by Committee on Revenue (originally sponsored by Representatives Rosbach, Owen, Wilson, Fiske and Mitchell):

Authorizing current use valuation for smaller areas of forest land.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1, and the bill passed the House by the following vote: Yeas, 92; nays, 3; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brown, Rust, Sommers.

Not voting: Representatives Barr, Fiske, Winsley.

Substitute House Bill No. 1, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 765, by Committee on Revenue and Representative Greengo (by Department of Revenue request):

Modifying the excise tax registration fee.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 765, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barr, Fiske, Winsley.

House Bill No. 765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 795, by Committee on Labor and Economic Development and Representative Sanders (by Department of Labor and Industries request):

Establishing user fees to allow the department of labor and industries to defray the cost of administering the prevailing wage law and the minor work permit law.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 795, and the bill passed the House by the following vote: Yeas, 77; nays, 17; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Maxie, McDonald, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Cole, Dickie, Flanagan, Hine, Leonard, Lundquist, McCormick, McGinnis, Monohon, Nelson D., Prince, Rosbach, Smith, Struthers, Teutsch, Vander Stoep.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Engrossed House Bill No. 795, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please change my vote from "Yea" to "Nay."

HAROLD CLAYTON, 15th District.

HOUSE BILL NO. 796, by Committee on Labor and Economic Development and Representatives Sanders and Tilly (by Department of Labor and Industries request):

Revising laws on review of apprenticeship programs.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 796, and the bill passed the House by the following vote: Yeas, 69; nays, 25; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ellis, Fancher, Flanagan, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Brown, Burns, Cole, Dickie, Ehlers, Eng, Erak, Gallagher, Garrett, Hine, Kreidler, Leonard, Lundquist, Monohon, Nelson D., North, O'Brien, Prince, Rinehart, Rust, Teutsch, Thompson, Wang, Warnke.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

House Bill No. 796, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

While voting from my desk I voted a "No" vote whereas it should have been a "Yes" vote. I believe there was a malfunction of my switch.

JOHN ERAK, 19th District.

SUBSTITUTE HOUSE BILL NO. 840; by Committee on Revenue (originally sponsored by Representatives Struthers, Chamberlain, Hastings and Hankins):

Increasing the sales tax exemption permit fee.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 840, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Substitute House Bill No. 840, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 857, by Committee on State Government (originally sponsored by Representatives Vander Stoep, Fiske, Chamberlain, Addison, Johnson, Tupper, Garson, Berleen, Nickell, Nelson, G., Rosbach, Hastings, James, Williams, Taylor, Winsley and Barr):

Permitting audits by private accounting firms.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 857, and the bill passed the House by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yea: Representatives Addison, Amen, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Greengo, Hankins, Hastings, Houchen, James, Johnson, King J., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Garrett, Granlund, Grimm, Heck, Hine, Isaacson, Kaiser, King R., Kreidler, Lux, Maxie, Monohon, Nelson D., Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Tilly, Valle, Walk, Wang.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Engrossed Substitute House Bill No. 857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 869, by Committee on Education (originally sponsored by Representative Dawson):

Authorizing school districts to issue bonds for purchase of pupil transportation vehicles.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 869, and the bill passed the House by the following vote: Yeas, 82; nays, 12; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., Leonard, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Clayton, Ehlers, Garrett, James, Kaiser, King R., Kreidler, Lux, Nelson D., Pruitt.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Substitute House Bill No. 869, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

This 15th Day of March, 1982 I wish to change my vote from "Aye" to "Nay" on House Bill No. 869.

GEORGETTE VALLE, 34th District.

ENGROSSED HOUSE BILL NO. 885, by Representatives Patrick, O'Brien, Wilson, Burns, Prince, Grimm, Winsley, Bender, Tupper, Lux, Van Dyken, Valle, Mitchell, Nelson (D), Leonard, Kreidler, Houchen, Eng, Ellis and Wang:

Modifying cigarette taxes.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 885, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Berleen, Clayton, Flanagan, Garrett, Nelson D., Pruitt.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Engrossed House Bill No. 885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

My vote on Engrossed House Bill No. 885 was in error. I voted "No" and my intention was to vote "Yes."

AVERY GARRETT, 11th District.

SECOND SUBSTITUTE HOUSE BILL NO. 906, by Committee on Ways and Means (originally sponsored by Representatives Chamberlain, Owen, Sanders, Greengo, Brown, Garson, Erak, Williams, Lundquist, Nickell, Barr, Martinis, McCormick, Barnes, Eberle, Thompson, Barrett, Chandler, Wilson, Monohon, Nisbet, Vander Stoep, Struthers, Nelson, G., Hankins, Galloway, King, J., Winsley, Heck, Ellis, Wang and Armstrong -by Governor Spellman request):

Creating the community economic revitalization board.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 906, and the bill passed the House by the following vote: Yeas, 61; nays, 31; not voting, 6.

Voting yea: Representatives Amen, Barnes, Barrett, Bender, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Greengo, Hankins, Hine, Houchen, Isaacson, Johnson, King R., Leonard, Lewis, Lundquist, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Ellis, Eng, Granlund, Hastings, Heck, James, Kaiser, King J., Kreidler, Lux, Maxie, McDonald, Nelson D., North, Rinehart, Rust, Sherman, Sommers, Taylor, Tupper, Valle, Van Dyken.

Not voting: Representatives Barr, Fiske, Garson, Grimm, Martinis, Winsley.

Second Substitute House Bill No. 906, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 926, by Committee on State Government (originally sponsored by Representatives Isaacson, Struthers, Hastings, Dickie, James and Houchen):

Modifying procedures of the human rights commission.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 926, and the bill passed the House by the following vote: Yeas, 79; nays, 15; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Brekke, Burns, Cole, Ehlers, Eng, Garrett, King J., Kreidler, Lux, Maxie, Nelson D., Sommers, Valle, Wang.

Not voting: Representatives Barr, Fiske, Martinis, Winsley.

Engrossed Substitute House Bill No. 926, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Mr. Ehlers: "I know that there are numerous members on this floor who are historians and who always like to share with us little things from United States history and our state's history. I guess it's my turn today. I don't know if this comes under the category of 'thought you'd like to know,' or 'thought you'd like to forget,' or what the category. We have today a new record in this state. This is the 194th day in a two-year biennium, which makes it the second longest legislative session in the history. That's a factual matter. As to whether or not those 194 days are the most productive days in our history is up for some conjecture. When we're back in July and we break the Guinness Book of Records and break our all-time record, then we'll let the historians judge what we've done."

POINT OF PERSONAL PRIVILEGE

Mr. Nelson (G): "I'd like to bring to the attention of the body, if I may, a little historic-type note that the first Regular Session of this 47th Legislature of 105 days was the first time in forty years that the legislature had ever completed its business in a regular session. It is interesting to note that during the last sixty-day session an all-time record was set on the number of measures passed by any regular session in the history of the state of Washington, with 221 measures passed by this legislature. Some very notable things were accomplished that had gone by the wayside for a number of years, especially with regard to helping the people of the state of Washington in seeking jobs. I think it's an historic note that even though some of us may not have wanted to contribute to the process, the majority party was able—even through some of the rhetoric and other insults that were hurled—to be able to get through this process and finish the session in a record-breaking time frame."

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barr, Fiske and Winsley, who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Tuesday, March 16, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

FIFTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Tuesday, March 16, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Winsley.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Brooking and Lisa Hathcliff. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

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

MESSAGES FROM THE SENATE

March 15, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3394,
ENGROSSED SUBSTITUTE SENATE BILL NO. 3946,
ENGROSSED SENATE BILL NO. 4748,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 15, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 49,
SENATE CONCURRENT RESOLUTION NO. 149,
SENATE CONCURRENT RESOLUTION NO. 150,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 149,
SENATE CONCURRENT RESOLUTION NO. 150.

INTRODUCTIONS AND FIRST READING

ENGROSSED SENATE BILL NO. 3394, by Senators Goltz, Bottiger and Quigg:

Increasing the tax credit for cogeneration facilities.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, by Committee on Transportation (originally sponsored by Senator Talley):

Modifying the aircraft fuel excise tax.

ENGROSSED SENATE BILL NO. 4748, by Senators Benitz, Charnley and Newhouse:

Permitting breweries and wineries to conduct courses in beer and wine.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and the bills listed on today's agenda under the fourth order of business were advanced to second reading and placed on the second reading calendar.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, by Committee on Transportation (originally sponsored by Senator Talley):

Modifying the aircraft fuel excise tax.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, and the bill, along with all House amendments previously adopted, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3946 as amended by the House, and the bill passed the House by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Becker, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., Kreidler, Lewis, Lundquist, Martinis, McDonald, McGinnis, Mitchell, Monohon, Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Bender, Berleen, Brekke, Cole, Ehlers, Eng, Fiske, Garrett, Grimm, James, Kaiser, King R., Leonard, Maxie, McCormick, Nelson D., Nelson G. A., Padden, Pruitt, Rinehart, Sprague, Stratton, Taylor, Walk.

Not voting: Representatives Chandler, Lux, Winsley.

Engrossed Substitute Senate Bill No. 3946 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4748, by Senators Benitz, Charnley and Newhouse:

Permitting breweries and wineries to conduct courses in beer and wine.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, and the bill, along with all House amendments previously adopted, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4748 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Eng, King J.

Not voting: Representatives Chandler, Salatino, Winsley.

Engrossed Senate Bill No. 4748 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-161, by Representatives Greengo, Ellis, Rinehart, Nelson (D), Brekke and Lux:

WHEREAS, The Roughriders of Seattle's Roosevelt High School have captured the 1982 class AAA boys' state basketball championship by upsetting the previously top-ranked Islanders of Mercer Island High School; and

WHEREAS, The Roosevelt victory culminated a fine season of steady improvement by the Roughriders and a solid season of excellent play by the Islanders; and

WHEREAS, The championship game pitted two disciplined championship teams against each other in a contest distinguished by skillful court action and fair play; and

WHEREAS, Teamwork was a key element in the Roughriders' charge, with players coming off the bench making a major contribution to the victory; and

WHEREAS, The character, discipline, and sportsmanship of the two teams are a tribute to their coaching staffs and school faculties, especially Roughriders' Coach Ben Snowden and Islanders' Coach Ed Pepple; and

WHEREAS, The championship represents Roosevelt High's third class AAA boys' state basketball title, continuing the school's greatness on the sports fields;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House congratulates Seattle's Roosevelt High School basketball team for winning the 1982 class AAA boys' state basketball championship; and

BE IT FURTHER RESOLVED, That the House commends the players, coaches, students, teachers, and staff of Roosevelt High School and the Seattle School District for their dedicated efforts in creating and maintaining Roosevelt High as a championship school producing ballplayers for today and leaders for tomorrow; and

BE IT FURTHER RESOLVED, That the Chief Clerk send a copy of this resolution to Coach Ben Snowden of Seattle's Roosevelt High School for communication to the school community.

Mr. Greengo moved adoption of the resolution. Representatives Greengo and Teutsch spoke in favor of it.

House Resolution No. 82-161 was adopted.

HOUSE RESOLUTION NO. 82-142, by Representatives Tilly and Nickell:

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The girls basketball team from Cle Elum-Roslyn High School has recently taken the State Class A Championship after spirited tournament play; and

WHEREAS, This is the second consecutive year that the Cle Elum-Roslyn Warriors have attained this distinction; and

WHEREAS, Sparked by the leadership of coach Linda Ricker, the Warriors have demonstrated exemplary team work and flexibility; and

WHEREAS, The members of the Warriors stand out not only for their athletic ability but also for their individual scholarship; and

WHEREAS, Their tournament victory crowns an outstanding season in which the Warriors achieved a record of 19-0 in league play with a 26-0 record overall;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Cle Elum-Roslyn High School Warriors and their coaching staff be commended on their noteworthy accomplishment; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Miss Linda Ricker, Head Coach of the Warriors.

On motion of Mr. Tilly, House Resolution No. 82-142 was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

On motion of Mr. Nelson (G), the Rules Committee was relieved of the following bills and they were placed on today's third reading calendar: HOUSE BILL NO. 736, SUBSTITUTE HOUSE BILL NO. 977, HOUSE BILL NO. 991, SUBSTITUTE HOUSE BILL NO. 1014, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1103, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105, SUBSTITUTE HOUSE BILL NO. 1109, SUBSTITUTE HOUSE BILL NO. 1140, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, SUBSTITUTE HOUSE BILL NO. 1158, SUBSTITUTE HOUSE BILL NO. 1165, ENGROSSED SUBSTITUTE HOUSE

**BILL NO. 1217, ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13,
and HOUSE CONCURRENT RESOLUTION NO. 37.**

HOUSE BILL NO. 736, by Committee on State Government and Representative Garson:

Allowing the state employees' insurance board to contract with multiple carriers providing similar coverage and changing the frequency of insurance surveys performed for the board.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 736, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

House Bill No. 736, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 977, by Committee on Labor and Economic Development (originally sponsored by Representatives King (J), Sanders, Heck, Galloway, Scott, Bender, Owen, Hine, Salatino, Brown, Wang, King, R., Stratton, Rust, Kaiser, Valle, Maxie, Brekke, Nelson, D., Johnson, Burns, Pruitt and Armstrong):

Enacting the business and industrial development corporations act.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 977, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Substitute House Bill No. 977, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 991, by Representatives Van Dyken, Bond, Fiske, Struthers, Taylor, Tupper, Greengo, Wilson, James, Lundquist, Johnson, Padden, Addison, Isaacson, Hastings, Smith, Sanders, Tilly, Hankins, Mitchell, Bickham, Ellis and Clayton:

Providing relief from sales and use taxes paid upon bad debts.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 991, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis,

Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representative Maxie.

Not voting: Representative Winsley.

House Bill No. 991, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039, by Committee on Appropriations - General Government (originally sponsored by Representatives Eberle and Sanders):

Removing authority of state liquor stores to sell beer and wine.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1039, and the bill passed the House by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, James, King J., Leonard, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Burns, Ehlers, Eng, Gallagher, Galloway, Garrett, Granlund, Grimm, Hine, Johnson, Kaiser, King R., Kreidler, Lewis, Lux, Maxie, North, O'Brien, Pruitt, Rust, Sherman, Valle, Van Dyken, Walk, Wang, Warnke.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1039, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102, by Committee on Labor and Economic Development (originally sponsored by Representatives Nelson, G., Martinis, Struthers, Scott, Monohon, Hastings, and Owen):

Implementing law relating to the control of gambling.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1102, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brown, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Gallagher, Garrett, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Rosbach, Rust, Sanders, Schmidt, Scott, Smith, Sprague, Struthers, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bond, Brekke, Burns, Cantu, Chandler, Cole, Ellis, Eng, Galloway, Garson, Granlund, Greengo, Johnson, Kreidler, Lundquist, McDonald, North, Patrick, Prince, Pruitt, Rinehart, Salatino, Sherman, Sommers, Stratton, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1103, by Committee on Appropriations - General Government (originally sponsored by Representatives Struthers, McCormick, Nisbet, Galloway, Lewis, Monohon, Gallagher and King, J.):

Providing for a state lottery.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1103, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Chamberlain, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Rosbach, Salatino, Schmidt, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Valle, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bond, Burns, Cantu, Chandler, Clayton, Cole, Ellis, Eng, Fiske, Granlund, Greengo, Hastings, Johnson, Kreidler, Lundquist, Maxie, McDonald, Prince, Pruitt, Rinehart, Rust, Sanders, Scott, Smith, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams.

Not voting: Representative Winsley.

Engrossed Second Substitute House Bill No. 1103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105, by Committee on Appropriations - Human Services (originally sponsored by Representatives King, J., Lewis, Heck, Becker, Wang, Hine, Fiske, Chandler, Armstrong and Brekke):

Modifying appropriations to the department of social and health services.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1105, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1109, by Committee on Ways and Means (originally sponsored by Representatives Sommers, Greengo and King, J.):

Modifying provisions relating to the budget stabilization account.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representative Thompson.

Not voting: Representative Winsley.

Substitute House Bill No. 1109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1140, by Committee on Local Government (originally sponsored by Representatives Barr, Stratton, McCormick, Bond and Lundquist):

Relating to the prepayment of local sales and use taxes and the use of such tax revenues to mitigate socioeconomic impacts of large construction projects.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1140, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Substitute House Bill No. 1140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141, by Committee on Labor and Economic Development (originally sponsored by Representatives Armstrong, Chandler, King, J., Fiske, Stratton, Lewis, Grimm, Valle, Scott, Eng, Bender, Lux, Salatino, Sommers, Patrick, Rinehart, Kaiser, Erak, Monohon, Warnke, Williams, Heck, Johnson and Wang):

Providing for the establishment of export assistance centers.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Armstrong, Barnes, Becker, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Kaiser, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Sprague, Stratton, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barr, Barrett, Berleen, Bond, Cantu, Clayton, Fancher, Flanagan, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lundquist, McDonald, Mitchell, Nickell, Padden, Schmidt, Smith, Struthers, Taylor, Teutsch, Tilly, Wilson.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1141, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156, by Committee on Local Government (originally sponsored by Committee on Local Government and Representatives Isaacson and Nelson, G.):

Permitting the establishment of cultural arts, stadium, and convention districts.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1156, and the bill passed the House by the following vote: Yeas, 67; nays, 30; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Chamberlain, Chandler, Cole, Dawson, Eberle, Ellis, Erak, Fancher, Galloway, Garson, Granlund, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Berleen, Brekke, Brown, Burns, Cantu, Clayton, Dickie, Ehlers, Eng, Fiske, Flanagan, Gallagher, Garrett, Greengo, Grimm, Houchen, James, Kaiser, Lundquist, Nelson D., Padden, Pruitt, Rinehart, Schmidt, Smith, Sommers, Walk, Wilson.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1158, by Committee on Appropriations – Human Services (originally sponsored by Committee on Human Services and Representatives Nisbet and Brekke):

Authorizing voluntary contributions to offset the cost of care provided to publicly supported nursing home patients.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1158, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Substitute House Bill No. 1158, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1165, by Committee on State Government (originally sponsored by Committee on State Government and Representative Addison):

Modifying boards and commissions based on revised congressional districts.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1165, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Substitute House Bill No. 1165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Williams, Vander Stoep and Tupper):

Modifying provisions on joint operating agencies.

The bill was read the third time and placed on final passage.

Representatives Heck, Erak, King (R), and Garrett spoke against passage of the bill, and Representatives Williams, Stratton, Taylor, Barnes, Vander Stoep and Monohon spoke in favor of it.

Mr. Nelson (G) demanded the previous question, and the demand was not sustained.

Representatives Garson, Isaacson, McGinnis and James spoke in favor of the bill, and Representatives Nelson (D) and Hine spoke against it.

Mr. Nelson (G) demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1217, and the bill passed the House by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Grimm, Heck, Hine, Kaiser, King J., King R., Lux, Maxie, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representative Winsley.

Engrossed Substitute House Bill No. 1217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13, by Committee on Ways and Means (originally sponsored by Representatives Williams, Dawson, Isaacson and Dickie):

Modifying fiscal provisions of the state Constitution.

The resolution was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 13, and the resolution passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Becker, Brekke, Thompson.

Not voting: Representative Winsley.

Engrossed Substitute House Joint Resolution No. 13, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 37, by Representatives Williams, Dawson, Galloway, Greengo, Tilly, King (J), Hine, Salatino, Armstrong, Stratton, Rosbach, Brown, Fiske, Wang, Eberle and Sanders:

Urging the state investment board to make investments to stimulate the state's economy.

The resolution was read the third time and adopted.

MOTION

On motion of Mr. Nelson (G), the Rules Committee was relieved of the following bills and they were placed on the third reading calendar: SUBSTITUTE HOUSE BILL NO. 268, SUBSTITUTE HOUSE BILL NO. 808, SECOND SUBSTITUTE HOUSE BILL NO. 828, ENGROSSED HOUSE BILL NO. 829, ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987, HOUSE BILL NO. 1092 and HOUSE BILL NO. 1145.

SUBSTITUTE HOUSE BILL NO. 268, by Committee on Ethics, Law and Justice (originally sponsored by Committee on Ethics, Law and Justice and Representatives Ellis, Hine, Burns and Rust):

Delaying vehicle license renewal until unpaid parking fines are paid.

The bill was read the third time and placed on final passage.

Mr. Eberle spoke against passage of the bill, and Mr. Ellis spoke in favor of it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Ellis, is it possible for the cities to engage a collection agency to collect past due parking fines?"

Mr. Ellis: "Yes, according to a bill we passed in this session, a city or a municipality can retain a collection agency, but we know that the collections fees in that area are at least thirty to forty and, many times, fifty percent. It's a whole new area and untested. The cities are strongly in favor of having this method on the traffic offenses. The collection agency bill will be used for other types of delinquencies."

Mr. Isaacson spoke against passage of the bill.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Addison.

Mr. Addison: "Representative Ellis, are the limitations that are found in 4492 also in the bill we are debating now—the limitations on the maximum fine and that kind of thing?"

Mr. Ellis: "Representative Addison, they are not, but I understood the whole purpose of this exercise is to get this measure and the Senate measure in exactly the same position they were at the end of the session. I can assure you those Senate limitations will ultimately be on this bill. It did pass the Senate, by the way, with twenty-seven votes."

Representatives Addison and Padden spoke against the bill, and Mr. Barrett spoke in favor of it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 268, and the bill passed the House by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bond, Brekke, Brown, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Valle, Van Dyken, Walk, Wang, and Mr. Speaker.

Voting nay: Representatives Bender, Berleen, Bickham, Burns, Cantu, Clayton, Dickie, Eberle, Eng, Fiske, Galloway, Garrett, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, Lundquist, Mitchell, Nelson G. A., Nickell, Nisbet, North, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Teutsch, Tilly, Tupper, Vander Stoep, Warnke, Williams, Wilson.

Not voting: Representative Winsley.

Substitute House Bill No. 268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 808, by Committee on Appropriations – Human Services (originally sponsored by Representatives Nisbet, Owen, Houchen and Struthers – by Governor Spellman request):

Providing for a 500-man medium security correction center.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 808, and the bill passed the House by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Addison, Amen, Barr, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King J., King R., Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Barrett, Becker, Brekke, Burns, Cole, Eng, Gallagher, Kaiser, Kreidler, Lux, Monohon, Nelson D., North, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Van Dyken, Wang, Warnke.

Not voting: Representative Winsley.

Substitute House Bill No. 808, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND SUBSTITUTE HOUSE BILL NO. 828, by Committee on Ways and Means (originally sponsored by Representatives Tilly, Johnson, Wilson, Wang, Cole, Kaiser, North, Granlund, Rust, Addison, Ellis, Greengo, King, J., Stratton, Tupper, Patrick, Winsley, Martinis, Hine, Pruitt, Galloway, Maxie, Barr and Armstrong):

Continuing compensation for crime victims.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 828, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Second Substitute House Bill No. 828, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 829, by Representatives Padden, Mitchell, James, Sprague, Stratton, Tupper and Patrick:

Restricting the ability of local public officials to mail campaign material at public expense.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 829, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson,

Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed House Bill No. 829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987, by Committee on Appropriations - General Government (originally sponsored by Committee on Appropriations - General Government and Representatives Williams, Wang, McDonald, Ellis and James):

Placing limitations on certain payments to school employees.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 987, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

Engrossed Second Substitute House Bill No. 987, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1092, by Representatives Struthers, Hastings and McGinnis:

Modifying the unfair cigarette sales act.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1092, and the bill passed the House by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Amen, Armstrong, Barrett, Becker, Bickham, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Ellis, Eng, Erak, Fancher, Fiske, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Johnson, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Scott, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Bender, Berleen, Bond, Brown, Cantu, Clayton, Dickie, Eberle, Ehlers, Flanagan, Gallagher, Grimm, Isaacson, James, Kaiser, McDonald, Nisbet, North, Padden, Pruitt, Salatino, Sanders, Schmidt, Sherman, Smith, Taylor, Valle, Walk, Wang, Warnke, Williams.

Not voting: Representative Winsley.

House Bill No. 1092, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1145, by Committee on Local Government and Representative Isaacson:

Modifying provisions relating to special purpose districts.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1145, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

*Not voting: Representative Winsley.

House Bill No. 1145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4153, by Committee on Judiciary (originally sponsored by Senator Pullen):

Permitting persons convicted of DWI or refusing a breathalyzer test to get an occupational driver's license.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, and the bill, along with all House amendments previously adopted, was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4153 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Houchen, Teutsch, Van Dyken.

Not voting: Representatives Warnke, Winsley.

Substitute Senate Bill No. 4153 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating the valuation of insurance and nonforfeiture of life insurance.

The bill was read the second time.

Mr. Nelson (G) moved that all amendments previously adopted be adopted.

On motion of Mr. Hastings, further consideration of Substitute Senate Bill No. 4201 was deferred.

MESSAGE FROM THE SENATE

March 16, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 4025, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Wednesday, March 17, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 17, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, Martinis, McCormick and Salatino. Representatives Martinis, McCormick and Salatino were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Diane Minion and Karen Coler. Prayer was offered by Father Theodore Marmo, Pastor of St. Michael's Catholic Church of Olympia:

"Lord of all nations and all peoples, we rejoice today in a special holy man of Yours, St. Patrick.

"Irish or not, we all dance a gleeful jig on this his joyous feast day. Lord of bishops, bakers, and bartenders, we thank You for sprinkling saints among us like holy Patrick, Bishop of Ireland.

"His green feast day gives us all a chance to wear the green of spring and life. Four days from now our old friend Winter will loose his lease on life. The green of this day foretells of rich vegetation; proclaims the fresh and new to the tired and weary; announces to one and all that Spring is on her way.

"As Patrick sent snakes slithering out of Ireland by Your blessed touch, may we each be freed from any evil in our lives. As he showered his strong compassion and care, may we, too, show that same compassion and care for our fellow citizens.

"And may justice and peace come to those troubled parts of his beloved country.

"Blessed be St. Patrick, bishop of man of prayer.

"Blessed be All Saints and the Wee Folk as well. Amen."

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

March 16, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 16, 1982, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 834: Relating to game.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

March 16, 1982

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 3609,

REENGROSSED SENATE BILL NO. 3915,

ENGROSSED SENATE BILL NO. 4133,

ENGROSSED SENATE BILL NO. 4578,

SUBSTITUTE SENATE BILL NO. 4586,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603,

SUBSTITUTE SENATE BILL NO. 4609,

ENGROSSED SENATE BILL NO. 4705,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944,

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 16, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4025,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

REENGROSSED SENATE BILL NO. 3609, by Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes:

Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment.

To Committee on Rules.

REENGROSSED SENATE BILL NO. 3915, by Senators Lee, Hurley and Vognild:

Establishing the recreation guide revolving fund.

To Committee on Natural Resources and Environmental Affairs

ENGROSSED SENATE BILL NO. 4133, by Senators Quigg, Ridder and Sellar (by Governor Spellman request):

Modifying the adjustments in compensation or death benefits payable under the industrial insurance system.

To Committee on Labor and Economic Development

ENGROSSED SENATE BILL NO. 4578, by Senators Scott, Deccio, Talmadge, Goltz, Charnley, Benitz and Fleming:

Increasing the insurance premiums' tax.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 4586, by Committee on State Government (originally sponsored by Senators Metcalf, Hemstad and Wilson - by Governor Spellman request):

Reorganizing various agencies of state government.

To Committee on Rules

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, by Committee on Ways and Means (originally sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller - by Governor Spellman request):

Providing the means for the payment of public indebtedness on public improvements.

To Committee on Rules

SUBSTITUTE SENATE BILL NO. 4609, by Committee on Transportation (originally sponsored by Senators Kiskaddon and Vognild - by Governor Spellman request):

Revising laws governing labor relations for ferry workers.

To Committee on Transportation

ENGROSSED SENATE BILL NO. 4705, by Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing the use of credit cards for state purchases.

To Committee on State Government

ENGROSSED SUBSTITUTE SENATE BILL NO. 4944, by Committee on Ways and Means (originally sponsored by Senators Gallagher, Zimmerman, Guess, Hansen, Peterson and Newhouse):

Modifying provisions on oil and gas and imposing oil and gas severance and conservation taxes.

To Committee on Rules

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, by Committee on Local Government (originally sponsored by Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz - by Governor Spellman request):

Providing the means for the payment of indebtedness on public improvements.

To Committee on Rules

MOTIONS

On motion of Mr. Nelson (G), the bills and the resolution listed on today's agenda under the fourth order of business were considered first reading and passed to the committees designated.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-164, by Representative Erak:

WHEREAS, The "Bobcats" of Aberdeen High School are the 1982 Class AA basketball champions of the state of Washington; and

WHEREAS, The "Bobcats" completed the season with an impressive twenty-five and two win-loss record; and

WHEREAS, This is Aberdeen High School's first-ever state basketball championship; and

WHEREAS, The championship is the result of dedication, long hours or practice, the application of skills, and the desire to excel on the part of members of the "Bobcat" team; and

WHEREAS, The championship is also the result of the determined efforts and expert skills of Coach Randy Hancock, who has also taken the Black Hills League and Southwest Washington District AA hoop crowns, in addition to the contributions of his assistants, Brad Fuhrer and Ron Lonborg; and

WHEREAS, The character and intelligence of the members of the "Bobcat" team have resulted in an awesome and unified team which not only won the Class AA championship but also the avid support of others as evidenced by the turnout of more than two thousand fans at the title game;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the members of the Aberdeen High School Basketball Team, Coach Randy Hancock, and his assistant coaches be extended our most sincere congratulations for this momentous achievement; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this resolution to Principal Charles Randolph and to Coach Randy Hancock.

On motion of Mr. Erak, House Resolution No. 82-164 was adopted.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 124 was rereferred from Committee on Rules to Committee on Appropriations - General Government.

On motion of Mr. Nelson (G), HOUSE BILL NO. 1022 was rereferred from Committee on State Government to Committee on Appropriations - General Government.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4201, by Committee on Financial Institutions and Insurance (originally sponsored by Senator Clarke):

Regulating the valuation of insurance and nonforfeiture of life insurance.

The bill was read the second time.

Mr. Nelson (G), moved that all House amendments previously adopted be adopted again with the exception of the amendment to page 43, line 5.

Mr. Nelson (G) spoke against the motion.

The motion was carried.

On motion of Mr. Williams, the following amendment by Representatives Williams and Dawson was adopted:

On page 43, after line 5 insert the following new section:

***NEW SECTION.** Sec. 35. The commissioner shall by regulation establish the amount of the filing fee for filing insurance rates and forms. In fixing said fee, which shall not exceed twenty dollars per filing, the commissioner shall, insofar as practicable, fix the fee in such a manner that the income will match the anticipated expenses to be incurred in connection with the regulation of rates and forms filing as required by statute.*

Re-number the remaining sections consecutively.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4201 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Ehlers.

Not voting: Representatives Eng, Martinis, McCormick, Salatino.

Substitute Senate Bill No. 4201 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1014, by Select Committee on Deregulation and Productivity (originally sponsored by Representatives Eberle, King R., Hastings, Owen, Nelson, G., Stratton and Sanders):

Delineating restrictions on taxing powers of counties, cities and towns.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1014, and the bill passed the House by the following vote: Yeas, 61; nays, 33; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Garson, Greengo, Grimm, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Lewis, Lundquist, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Rosbach, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Galloway, Garrett, Granlund, Heck, Hine, Kreidler, Leonard, Lux, Maxie, McDonald, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rust, Sherman, Sommers, Teutsch, Thompson, Tupper, Valle, Van Dyken, Wang.

Not voting: Representatives Eng, Martinis, McCormick, Salatino.

Substitute House Bill No. 1014, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PARLIAMENTARY INQUIRY

Mr. Ehlers: "It's my understanding, Mr. Speaker, that these third reading of House bills are the way they passed the House of Representatives without Senate amendments. Is that correct?"

The Speaker (Mr. Amen presiding): "That's correct, Representative Ehlers."

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, how many days remain before this session must end by law?"

The Speaker (Mr. Amen presiding): "By our math up here, Representative Heck, we have twenty-four days left."

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1053, by Committee on Energy and Utilities (originally sponsored by Committee on Energy and Utilities and Representative Barnes):

Modifying requirements on the procurement of materials, equipment, supplies, and work by joint operating agencies contracting, improving, or operating electrical facilities.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 80; nays, 14; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Berleen, Brekke, Brown, Burns, Cole, Erak, Garrett, King R., Lux, Maxie, Monohon, Nelson D., Rinehart, Valle.

Not voting: Representatives Eng, Martinis, McCormick, Salatino.

Engrossed Substitute House Bill No. 1053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 4492, by Senators Clarke, Newhouse, Wojahn and Zimmerman (by Judicial Council request):

Excluding all parking offenses from additional penalty assessments.

The bill was read the second time.

Mr. Nelson (G), moved that the amendments by Representative Ellis, previously adopted, be adopted again.

MOTION

Mr. Padden moved that the amendments be tabled.

ROLL CALL

The Clerk called the roll on the motion to table the Ellis amendments to Engrossed Senate Bill No. 4492, and the motion was lost by the following vote: Yeas, 15; nays, 76; nays, 7.

Voting yea: Representatives Clayton, Eberle, James, Leonard, Lewis, Mitchell, Nickell, Padden, Patrick, Prince, Sanders, Schmidt, Sprague, Vander Stoep, Williams.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Cole, Dickie, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Maxie, McDonald, McGinnis, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Rust, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Dawson, Eng, Martinis, McCormick, Salatino, Winsley.

The Speaker (Mr. Amen presiding) stated the question before the House to be the motion to adopt the Ellis amendments.

On motion of Mr. Kaiser, the following amendments by Representatives Kaiser and Ellis to the Ellis amendments were adopted:

On page 5 of the amendment, line 3 after "within" strike "seven" and insert "~~((seven))~~ fourteen"

On page 5 of the amendment, line 25 after "statement" insert "in at least ~~ten~~ point bold-face type"

On page 5 of the amendment, line 38 after "section" strike "within seven" and insert "~~((within seven))~~ not later than fourteen" and after "days" strike "of" and insert "~~((of))~~ after"

On page 6 of the amendment, beginning on line 33, strike "seven" and insert "~~((seven))~~ fourteen"

The Ellis amendments as amended were adopted.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Garrett and Valle spoke against passage of the bill.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Ellis, if I drove into Seattle and I got a parking fine and I didn't pay that, would this legislation enable the state to take away my driver's license?"

Mr. Ellis: "Representative Sanders, this bill does not relate to the driver's license at all. Existing statute tries to tie it to the driver's license, but it is the opinion that nobody's trying to enforce this; it's unconstitutional. The amendment on the bill only relates to your motor vehicle license tabs; it's not tied to the driver's license. Secondly, the basic bill puts the cap on how much penalty can be levied on any traffic violation to twenty-five dollars. That's the basic Senate bill."

Mr. Sanders: "Would the state have the authority to not renew my automobile tabs?"

Mr. Ellis: "Representative Sanders, the bill only triggers: First, if the city wants to use the process by sending notice of unpaid parking tickets to Olympia; and secondly, there has to be a minimum of three parking tickets before the procedure can be instituted. So, if there were three and that particular city had used this process, that is correct."

Mr. Sanders: "If there were three parking tickets in Seattle, for instance, this legislation would authorize the state not to grant me a renewal of my automobile tabs, so I wouldn't be able to drive the car in the state of Washington?"

Mr. Ellis: "Representative Sanders, that is not correct. The procedure is that when you receive notice for the renewal of your license tabs, it would have an entry on it of the amount of the unpaid parking tickets. You would simply pay that and you would get your tabs. So, no, it does not just automatically say that you are not going to get them. Anytime in between this time, you walked into the local agency before you got the notice, then you could pay it in the city of Seattle, and it would never show up on your record. By the way, California law does apply to one ticket, but we thought we should minimize it at three."

Mr. Armstrong spoke in favor of the bill.

Mr. Padden demanded an oral roll call vote and the demand was not sustained.

Mr. Barrett spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4492 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Lux, Maxie, McDonald, McGinnis, Monohon, Nelson D., North, O'Brien, Pruitt, Rust, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Berleen, Bickham, Cantu, Clayton, Dickie, Eberle, Fiske, Galloway, Garrett, Garson, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lewis, Lundquist, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Teutsch, Tilly, Tupper, Valle, Vander Stoep, Warnke, Williams, Wilson.

Not voting: Representatives Eng, Kreidler, Martinis, McCormick, Salatino.

Engrossed Senate Bill No. 4492 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3394, by Senators Goltz, Bottiger and Quigg:

Increasing the tax credit for cogeneration facilities.

The bill was read the second time.

Ms. Sommers moved adoption of the following amendment by Representatives Sommers, Barnes, Greengo and Nelson (D):

Beginning on page 1, line 10 after "follows:" strike all material down to and including "exhausted." on page 3, line 2 and insert the following:

"When a cogeneration facility is operational and a certificate pertaining thereto has been issued, a credit may be claimed against taxes imposed under chapter 82.04 RCW, if the due date for payment of the taxes is after the effective date of the certificate: PROVIDED, That the date on which the facility is operational is no more than four years after the date of issuance of the certificate. The amount of the credit shall be ~~((two))~~ three percent of the cost of a facility covered by the certificate for each year the certificate remains in force. The credits shall be cumulative and shall be subject only to the following limitations:

(1) The tax credit shall apply to capital costs only and shall not apply to operating costs.

(2) A person, firm, corporation, or organization which acquires a cogeneration facility shall be entitled to the credit only to the extent that it has previously not been taken. Under no circumstances may a credit be taken more than once against any cost or portion thereof of a cogeneration facility.

(3) No credit exceeding fifty percent of the taxes payable under chapter 82.04 RCW shall be allowed in any reporting period.

(4) The total cumulative amount of the credits allowed for any cogeneration facility covered by a certificate shall not exceed fifty percent of the cost of the cogeneration facility less the total amount of federal investment credit or other federal tax credits applicable to the cogeneration facility.

(5) ~~((The total cumulative amount of credits against state taxes authorized by this chapter shall be reduced by the total amount of any federal investment credit or other federal tax credit actually received by the certificate holder applicable to the cogeneration facility. This reduction shall be made as an offset against the credit claimed in the first reporting period following the allowance of the investment credit, or other credit, and thereafter as an offset against any credit balance as it shall become available to the certificate holder))~~ State credits shall not become available until one year after final cost verification by the department."

Representatives Sommers and Barnes spoke in favor of the amendment, and it was adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3394 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Berleen.

Not voting: Representatives Eng, Martinis, McCormick, Salatino.

Senate Bill No. 3394 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the Rules Committee was relieved of SUBSTITUTE HOUSE BILL NO. 1230 and it was placed on today's second reading calendar.

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1230 was deferred.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Thursday, March 18, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, March 18, 1982.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representative Martinis, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gretchen Hill and Mary Brillault. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285,
SUBSTITUTE SENATE BILL NO. 4841,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Modifying provisions relating to social and health services.

To Committee on Appropriations – Human Services.

SUBSTITUTE SENATE BILL NO. 4841, by Committee on Ways and Means (originally sponsored by Senator Bluechel):

Modifying provisions relating to winter recreation.

To Committee on Appropriations – General Government.

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-165, by Representatives Nelson (G) and Garson:

WHEREAS, The sport of wrestling has been recognized since ancient times as a test of both physical development and mental awareness; and

WHEREAS, Many young people, throughout the state of Washington actively pursue the sport of wrestling at the amateur level; and

WHEREAS, Cascade High School in Everett, Washington, has been selected as the site for the final competition of the United States Wrestling Federation Juniors Tournament to be held April 3, 1982; and

WHEREAS, Competitors at this event will be among the finest junior amateur wrestlers from Washington State and across the nation, including many competitors who are state wrestling champions, national place winners and U.S. world wrestling team members; and

WHEREAS, Those young people involved in amateur wrestling at all levels, as well as parents, families, coaches, officials and others who support these young athletes, ought to be recognized for their accomplishments and dedication to this demanding sport;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the event of the U.S. Wrestling Federation Juniors Tournament on April 3, 1982 serve to focus our

attention of the sport of amateur wrestling and our respect and admiration for all those who participate in amateur wrestling; and

BE IT FURTHER RESOLVED, That the House of Representatives urges Governor John Spellman to proclaim April 3, 1982 as "Amateur Wrestling Day" in the state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Governor and to the United States Wrestling Federation.

Mr. Nelson (G) moved adoption of the resolution. Representatives Nelson (G), Garson and Barnes spoke in favor of it.

House Resolution No. 82-165 was adopted.

HOUSE RESOLUTION NO. 82-166, by Representatives Smith, Amen, Barr, Bickham, Bond, Clayton, Dickie, Fancher, Flanagan, Hankins, Hastings, Isaacson, James, Leonard, Lewis, Lundquist, McGinnis, Nickell, Padden, Prince, Struthers, Taylor, Tilly, Van Dyken, Galloway and Kaiser:

WHEREAS, Thursday, March 18, has been declared National Agriculture Day for 1982; and

WHEREAS, National Agriculture Day recognizes the efforts and achievements of all those who are involved in the production and distribution of agricultural products, including farm suppliers, and the individuals and firms that grow, raise, process, transport and market food; and

WHEREAS, Agriculture in the United States of America provides our nation and much of the world with the most abundant, highest quality supply of food in the history of mankind; and

WHEREAS, Agriculture in all of its facets contributes greatly to the economic well-being of the United States and of the state of Washington, through the creation of jobs, the generation of revenues, the production of export commodities and other means; and

WHEREAS, Agriculture has had a significant influence on the development of our nation and state and the values by which our society is maintained, as well as our quality of life and high standard of living;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That all citizens of our state be encouraged to recognize and celebrate Agriculture Day for 1982 and to participate in community, state, regional, and national events commemorating Agriculture Day; and

BE IT FURTHER RESOLVED, That Agriculture Day for 1982 in Washington State serve to show the appreciation of all citizens for the many important contributions made by those involved in agriculture in our state.

Mr. Smith moved adoption of the resolution. Representatives Smith, Flanagan, and Kaiser spoke in favor of the resolution.

House Resolution No. 82-166 was adopted.

The Speaker (Mr. Amen presiding) declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Martinis. Representative Martinis was excused.

SENATE AMENDMENTS TO HOUSE BILL

March 17, 1982

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 828 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 10, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any court of competent jurisdiction of having committed ~~((an act prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor))~~ a crime, except as provided in subsection (2)

of this section, there shall be imposed by the court upon such convicted person a penalty assessment (~~in the amount of twenty-five dollars or ten percent of any other penalty or fine, whichever is greater, which penalty assessment shall be in addition to any other penalty or fine imposed by law~~) of fifty dollars for a felony or gross misdemeanor and twenty-five dollars for a misdemeanor. The assessment shall be in addition to any other penalty or fine imposed by law.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61.520, 46.61.024, 46.52.090, 46.70.140, 46.65.090, 46.61.502, 46.61.504, 46.52.100, 46.20.410, 46.52.020, 46.10.130, 46.09.130, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.090(2) and 46.09.120(2).

(3) Wherever any person accused of having committed a criminal act (~~prohibited under the provisions of Title 9A RCW as now or hereafter amended, which act involved a victim and is punishable as a felony or gross misdemeanor~~), posts bail pursuant to the provisions of chapter 10.19 RCW, and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment (~~of twenty-five dollars~~), in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the criminal act.

~~((3))~~ (4) Notwithstanding any other provision of law, such penalty assessments shall be paid by the clerk of the court to the city or county treasurer, as the case may be, who shall monthly transmit eighty percent of such penalty assessments to the state treasurer. The state treasurer shall deposit such assessments in an account within the state general fund to be known as the crime victims compensation account, hereby created, and all moneys (~~derived from such assessments~~) placed in the account shall be used exclusively for the administration of this chapter, after appropriation by statute. Except as provided in subsection (5) of this section, the remaining twenty percent of such assessments shall be provided to the county prosecuting attorney to be used exclusively for comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. A program shall be considered "comprehensive" only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

(5) If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section, the city or county treasurer, as the case may be, shall monthly transmit one hundred percent of such penalty assessments to the state treasurer for deposit in the crime victims compensation account within the state general fund.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Penalty assessments under this section shall also be imposed in juvenile offense dispositions under Title 13 RCW.

Sec. 2. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190 and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act (~~committed prior to July 1, 1981~~) including criminal acts committed between July 1, 1981, and the effective date of this 1982 act, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation or incitement by the victim;

(b) The result of an act or acts committed by a person living in the same household with the victim;

(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:

(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and

(ii) The interests of justice require otherwise in the particular case;

(d) The result of the victim assisting, attempting, or committing a criminal act; or

(e) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That in the event the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses (as provided in RCW 51.32.050 as now or hereafter amended) not to exceed five hundred dollars and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits shall be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That in the event a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, such victim shall receive monthly during the period of such disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of such average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of such average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of such average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of such average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of such average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of such average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of such average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of such average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of such average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of such average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of such average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of such average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That no person shall be eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal

act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section shall apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended shall apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160 and 51.32.210 as now or hereafter amended shall be applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person shall be entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) Except for benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars may be granted as a result of any single injury or death.

(13) Notwithstanding the provisions of Title 51 RCW, no victim shall be eligible for benefits for the first two hundred dollars worth of loss suffered: PROVIDED, That this subsection shall not apply to costs covered by RCW 7.68.170 or to other medical costs incurred by the victim of a sexual assault.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for any one injury or death for loss of earnings or future earnings or for loss of support shall be limited to ten thousand dollars.

NEW SECTION. Sec. 3. There is added to chapter 7.68 RCW a new section to read as follows:

Nothing in this act affects or impairs any right to benefits existing prior to the effective date of this act. For injuries occurring on and after July 1, 1981, and before the effective date of this act, the statute of limitations for filing claims under this chapter shall begin to run on the effective date of this act.

Sec. 4. Section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court shall require the payment of the penalty assessment required by RCW 7.68.035: PROVIDED FURTHER, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 5. Section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and

all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the board of county commissioners of the county wherein the court is located.

NEW SECTION. Sec. 6. There is added to chapter 2.56 RCW a new section to read as follows:

Beginning in 1983, the administrator for the courts shall annually compile a report, covering the previous year, showing: (1) For each superior court district, the number of convictions and the amount of assessments paid and amount due for felonies, gross misdemeanors, and misdemeanors; (2) for each county, the number of gross misdemeanor and misdemeanor convictions in courts of limited jurisdiction and the amount of assessments paid and the amount due. This information shall be provided by class of crime (felony, gross misdemeanor, and misdemeanor). "Assessment" means the crime victims compensation assessment required under RCW 7.68.035.

NEW SECTION. Sec. 7. There is appropriated to the department of labor and industries from the crime victims compensation account in the general fund for the biennium ending June 30, 1983, the sum of three million two hundred thousand dollars, or so much thereof as may be necessary for the purposes of chapter 7.68 RCW.

NEW SECTION. Sec. 8. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of three hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of chapter 7.68 RCW.

NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 2 through 6 of this act shall take effect on January 1, 1983.

NEW SECTION. Sec. 10. The intent of the legislature is that the victim of crime program will be self-funded. Toward that end, the department of labor and industries shall not pay benefits beyond the resources of the account. The department of labor and industries and the administrator for the courts shall cooperatively prepare a report on the collection of penalty assessments and the level of expenditures, and recommend adjustments to the revenue collection mechanism to the legislature before January 1, 1983. It is further the intent of the legislature that the percentage of funds devoted to comprehensive programs for victim assistance, as provided in section 1 of this act, be re-examined to ensure that it does not unreasonably conflict with the higher priority of compensating victims. To that end, the county prosecuting attorneys shall report to the legislature no later than January 1, 1984, either individually or as a group, on their experience and costs associated with such programs, describing the nature and extent of the victim assistance provided."

On page 1, line 1 of the title after "crime;" strike the remainder of the title and insert "amending section 10, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.035; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 26, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.070; amending section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060; amending section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210; adding new sections to chapter 7.68 RCW; creating a new section; making appropriations; providing an effective date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendments to Second Substitute House Bill No. 828.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 828 as amended by the Senate.

Mr. Tilly spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 828 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon,

Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Clayton, Martinis, Sanders, Scott.

Second Substitute House Bill No. 828 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 17, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 987 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

(1) No school district board of directors or administrators may:

(a) Increase an employee's salary or compensation to include a payment in lieu of providing a fringe benefit;

(b) Allow payment to any employee for unused vacation leave; except, that contracts may provide a mechanism for all accumulated vacation leave to be taken as vacation leave; or

(c) Allow any payment to an employee which is partially or fully conditioned on the termination or retirement of the employee, except as provided in subsection (2) of this section.

(2) A school district board of directors may compensate an employee for termination of the employee's contract in accordance with the termination provisions of the contract. If no such provisions exist the compensation must be reasonable based on the proportion of the uncompleted contract. Compensation received under this subsection shall not be included for the purposes of computing a retirement allowance under any public retirement system in this state.

(3) Provisions of any contract in force on the effective date of this act which conflict with the requirements of this section shall continue in effect until contract expiration. After expiration, any new contract including any renewal, extension, amendment or modification of an existing contract executed between the parties shall be consistent with this section.

NEW SECTION. Sec. 2. There is added to chapter 41.32 RCW a new section to read as follows:

The department of retirement systems shall make a review of each member employed by a school district being retired on and after July 1, 1982, and whose benefits are determined by RCW 41.32.497 or 41.32.498. The purpose of the review is to identify any retiree whose average annual earnable compensation for purposes of determining retirement benefits exceeds the average annual earnable compensation during the two year period immediately preceding the years used in computing retirement benefits by more than the percentage increase determined as set forth in subsection (1) of this section.

(1) For the retirees average final compensation period, the basis for making the comparison required by this section, shall be a percentage increase equal to one percentage point in excess of the average percentage salary increase granted to certificated employees of such employees district in accordance with the state operating appropriations act in effect at the time the salary is payable, adjusted for incremental increases for seniority and educational attainment and staff position changes.

(2) For all retirees identified in this section, the department of retirement systems shall calculate the increase in the basic retirement benefit which results from any increase in salary granted an employee in excess of the district average certificated salary increase. The department of retirement systems will then, utilizing tables developed by the state actuary, determine the extra pension cost attributable to exceeding such average and shall bill the retiree's employer who shall remit the entire amount determined to the retirement system within thirty days, except that the director of the department of retirement systems shall be empowered to omit billing an amount less than fifty dollars.

(3) Any post-retirement increases resulting from the excess benefit identified in subsection (2) of this section shall be billed to the last employer as they occur on the basis set forth in subsection (2) of this section.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 3 of the title after "28A.58 RCW;" strike the remainder of the title and insert "adding a new section to chapter 41.32 RCW; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Engrossed Second Substitute House Bill No. 987.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 987 as amended by the Senate.

Mr. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 987 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchgll, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Bond, Martinis, Teutsch.

Engrossed Second Substitute House Bill No. 987 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 17, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1084 with the following amendments:

On page 3, following section 2 add three new sections to read as follows:

*Sec. 3. Section 28A.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010 are each amended to read as follows:

The state board of education shall be comprised of two members from each congressional district of the state, not including any congressional district at large, elected by the members of the boards of directors of school districts thereof, as hereinafter in this chapter provided, and one ((nonvoting)) member elected at large, as hereinafter in this chapter provided, by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.02.201, as now or hereafter amended.

Sec. 4. Section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020 are each amended to read as follows:

Not later than the twenty-fifth day of August of each year, the superintendent of public instruction shall call for the following elections to be held: An election in each congressional district within which resides a member of the state board of education whose term of membership will end on the second Monday of January next following, and an election of the ((nonvoting)) member of the state board of education representative of the private schools if the term of membership will end on the second Monday of January next following. The superintendent of public instruction shall give written notice thereof to each member of the board of directors of each common school district in such congressional district, and to the chairperson of the board of directors of each private school who shall distribute said notice to each member of the private school board. Such notice shall include the election calendar and rules and regulations established by the superintendent of public instruction for the conduct of the election.

Sec. 5. Section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050 are each amended to read as follows:

Each member of the board of directors of each school district in each congressional district shall be eligible to vote for the candidates who reside in his congressional district. Each chairperson of the board of directors of each eligible private school shall cast a vote for the candidate receiving a majority in an election to be held as follows: Each member of the board of directors of each eligible private school shall vote for candidates representing the private schools in an election of the board, the purpose of which is to determine the board's candidate for the ((nonvoting)) member representative of the private schools of the state board. Not later than the first day of October the superintendent of public instruction shall mail to each member of each common school district board of directors and to each chairperson of the board of directors of each private school, the proper ballot and voting instructions for his congressional district together with biographical data concerning each candidate listed on such ballot, which data shall have been prepared by the candidate."

Renumber remaining section consecutively.

On page 1, on line 5 of the title after "28A.04.040;" and before "and" insert "amending section 28A-.04.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 179, Laws of 1980 and RCW 28A.04.010; amending section 28A.04.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 38, Laws of 1981 and RCW 28A.04.020; amending section 28A.04.050, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 38, Laws of 1981 and RCW 28A.04.050;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Taylor moved that the House do not concur in the Senate amendments to House Bill No. 1084 and ask the Senate to recede therefrom.

Representatives Greengo and O'Brien spoke against the motion, and Representatives Galloway and Taylor spoke in favor of it.

POINT OF ORDER

Mr. O'Brien: "The question of raising a constitutional issue relative to this proposed amendment seems to me, Mr. Speaker, to be not germane to the subject matter. He's raising another issue on the constitutional question. You have often stated in your rulings that the question of constitutionality is something for the courts to decide, not for the legislative body."

SPEAKER'S RULING

The Speaker: "Representative O'Brien, it states in Reed's Rule 216, 'Nevertheless, a patient presiding officer and a good-natured assembly can do much to confine debate to its proper channels...' In the nature of being a good-natured assembly, Representative O'Brien, I would draw to your attention, Reed's Rule 161 that says, 'So, the question of constitutionality is not for him [that is the presiding officer] to decide. Incompatibility, inconsistency and unconstitutionality are matters of argument.' So, being a very patient presiding officer and expecting a good-natured assembly, I would rule your point of order is not well taken."

Mr. Taylor continued his remarks in favor of the motion, and Representatives Ellis and Stratton spoke against it.

Mr. King (R) spoke in favor of the motion and Representatives Van Dyken and McDonald spoke against it.

Mr. Taylor spoke again in favor of the motion.

MOTION

Mr. King (R) moved that the House do concur in the Senate amendments to House Bill No. 1084.

Mr. King (R) spoke against the motion to concur.

POINT OF ORDER

Mr. Van Dyken: "Is it permissible, while debate has commenced on a motion, for a member to interrupt that debate and offer a contravening motion to concur?"

SPEAKER'S RULING

The Speaker: "Representative Van Dyken, if you would refer to Reed's Rule 247, you will find a relationship between the various motions relating to agreement or disagreement between the two houses, and you will find the motion to concur is of the highest order, and in Reed's Rule 249, you will find that, even when the motion to not concur is pending before the House, a motion to concur would be in order and would be of higher precedence."

Mr. Greengo spoke in favor of the motion.

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, a member gets to speak only twice on an issue without leave of the House. My point is, is the first question not to concur and the second question the motion to concur?"

SPEAKER'S RULING

The Speaker: "I'm afraid so. We have a new question before the House now which is the motion that the House do concur and the members may speak twice on that issue."

Mr. Taylor spoke against the motion, and Representatives O'Brien and Nelson (G) spoke in favor of it.

POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Heck.

Mr. Heck: "Representative Taylor, you are Chairman of the Education Committee of the House, and I'm wondering if you are aware of whether or not this major substantive change in policy ever received the benefit of either a full public hearing in the Senate or a full public hearing in the House?"

Mr. Taylor: "It certainly didn't in the House, Representative Heck. The bill never came before us; it was never introduced in the House, and it is of great concern to me that an historical move of this sort could not have had the attention of the full House Education Committee. In the Senate, there was very brief, I believe, cursory attention, but most of the action came directly on the floor without the committee. We didn't have a chance to delve into this issue."

Mr. Barrett spoke in favor and Ms. Galloway spoke against the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to House Bill No. 1084, and the motion was lost by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Berleen, Brown, Cantu, Chandler, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Greeno, Hastings, Hine, Houchen, Isaacson, James, Leonard, Lundquist, Maxie, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Patrick, Prince, Rosbach, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Teutsch, Tilly, Van Dyken, Warnke, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bender, Bickham, Brekke, Burns, Chamberlain, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Mitchell, Monohon, Nickell, Owen, Pruitt, Rinehart, Rust, Salatino, Schmidt, Sherman, Sommers, Taylor, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley.

Not voting: Representatives Bond, Martinis.

The Speaker declared that the House, by its action, had refused to concur in the Senate amendments to House Bill No. 1084, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4153, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House insisted on its position with regard to Substitute Senate Bill No. 4153, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 16, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and asks the House to recede therefrom and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Taylor, the House insisted on its position with regard to Engrossed Substitute Senate Bill No. 4675, and again asked the Senate to concur in the House amendments.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate has concurred in all of the House amendments to ENGROSSED SENATE BILL NO. 4748, except for the amendment to section 3 on page 3, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sanders, the House insisted on its position with regard to Engrossed Senate Bill No. 4748, and asked the Senate for a conference thereon.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4025.

MESSAGE FROM THE SENATE

March 16, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4963, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Sanders moved that the House do recede from its amendments to Engrossed Substitute Senate Bill No. 4963.

Mr. Sanders spoke in favor of the motion, and Mr. Addison spoke against it.

Mr. Sanders spoke again in favor of the motion, and Mr. Brown spoke against it.

Ms. Monohon spoke in favor of the motion, and Mr. Kaiser spoke against it.

On motion of Mr. Hastings, Representative Brown's remarks were ordered inserted in the Journal.

REMARKS BY REPRESENTATIVE BROWN

Mr. Brown: "Speaking against the motion, a few days ago this bill came before us and we voted to add an amendment to the bill which would give the people back home an opportunity to make a decision. That decision is whether or not they want to be taxed. A majority of you voted for that, and by going along with this motion you are going to recede from your position, and I'm saying that's not what we want to do. What we want to do is give the people back home an opportunity to vote on whether or not they want to be taxed. This is a tax; it's nothing less; it's nothing more, but it is a tax. If you want to shove another one out of here without the people back home having an opportunity to say something about it, vote in favor of the motion, but if you want the people to have an opportunity to say 'no' when they have had enough, and God knows they have had enough, then vote against this motion. The only way we can hold this thing together is to insist on our position. So vote 'no' on this motion, then we'll come back, insist and we'll put this in conference. By putting it in conference, we'll make the Senate be as responsible as this body has been when we put it here in the first place. It's very ridiculous to stand out here and tell the people back home we're trying to be responsible, and when we come down here and vote to give them an opportunity to vote, then come back here and take it off. I can't believe we're doing this. It's a very important vote. It's very important for us to vote against this motion, and I'm asking you to do that."

Mr. Addison again opposed the motion, and Mr. King (J) spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House do recede from its amendments to Engrossed Substitute Senate Bill No. 4963, and the motion was carried by the following vote: Yeas, 57; nays, 38; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., King R., Kreidler, Lundquist, Maxie, McCormick, McDonald, Monohon, Nisbet, O'Brien, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Scott, Smith, Stratton, Struthers, Thompson, Tilly, Tupper, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Ehlers, Eng, Garrett, Granlund, Grimm, James, Kaiser, Leonard, Lewis, Lux, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, North, Owen, Padden, Patrick, Rinehart, Schmidt, Sherman, Sommers, Sprague, Taylor, Teutsch, Valle, Van Dyken, Walk, Wang.

Not voting: Representatives Bond, Martinis, Warnke.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate bill No. 4963 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4963 without the House amendments, and the bill passed the House by the following vote: Yeas, 77; nays, 19; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., King R., Kreidler, Lewis, Lundquist, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Patrick, Prince, Pruitt, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Brekke, Brown, Burns, Ehlers, Eng, Garrett, Grimm, James, Kaiser, Leonard, Lux, Nelson D., North, Owen, Padden, Rinehart, Teutsch, Walk.

Not voting: Representatives Bond, Martinis.

Engrossed Substitute Senate Bill No. 4963 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I would like to have my vote on final passage of Engrossed Substitute Senate Bill No. 4963 be "Yea." It was an error for me to vote "Nay."

JOHN ENG, 37th District.

MOTIONS

On motion of Mr. Nelson (G), HOUSE BILL NO. 1226 was rereferred from Committee on Ways and Means to Committee on Appropriations - General Government.

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1230, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Modifying appropriations for capital facilities.

The bill was read the second time.

On motion of Mr. Thompson, the following amendments were adopted:

On page 1, line 21 strike "five million four hundred thousand" and insert "six million"

On page 2, line 6 strike "1,900,000" and insert "2,500,000"

On page 2, line 12 strike "6,353,000" and insert "6,953,000"

On page 2, after line 12 insert the following:

"PROVIDED, That six hundred thousand dollars of the appropriated sum, or as much thereof as necessary, shall be used for the construction of a marine fire training structure."

Mr. Wang moved adoption of the following amendment by Representatives Wang, Addison, Berleen, Pruitt and Valle:

On page 6, line 20 after "state." insert:

"(g) No more than \$15 million may be awarded to any municipality if the funds are utilized in any project:

(i) which downgrades the level of sewage treatment from advanced secondary to conventional secondary treatment or from secondary to primary treatment; or

(ii) which would cause effluent to reach and to impact a separate jurisdiction which has not consented to the project: PROVIDED, That this paragraph (g) shall not apply if the department of ecology in cooperation with the municipality commissions an independent comprehensive study of alternative projects for the treatment and discharge of effluent from the service area. The study shall measure the costs of the various alternatives as well as any adverse impacts on environmental quality and human health. The study shall include all aspects of treating and disposing of sewage wastes reasonably anticipated in the area served for at least twenty years and shall include consideration of decentralized treatment facilities, upgrading the level of sewage treatment, and short and long term capital and operating costs. The study shall be conducted by an independent consultant, public or private, which has never contracted with or been employed by the department of ecology or the municipality or which agrees not to be eligible for contracts with the department of ecology or the municipality for a period of three years after commencement of this study. The department of ecology and the municipality shall provide ample opportunity for public hearings on the study."

Representatives Wang, Berleen, Addison, Granlund, Hine, Valle and Pruitt spoke in favor of the amendment, and Representatives Greengo, Sommers and McDonald spoke against it.

Mr. Wang spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Nelson (D).

Mr. Nelson D): "Representative Wang, how much would this study cost and how long would it take?"

Mr. Wang: "I can't answer specifically in detail how long it would take or how much it would cost. It would depend on what Metro determined was needed to do an adequate job here. There has been some information which has been gathered, and I think Metro can take advantage of that and use it to a great extent. We don't need to reinvest in wheels, but we do need an independent look instead of just having Metro evaluate its own premise, and base things under an original assumption and just pursue that."

ROLL CALL

The Clerk called the roll on the amendment by Representative Wang and others to Substitute House Bill No. 1230, and the amendment was not adopted by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Berleen, Brown, Burns, Clayton, Dawson, Dickie, Eberle, Ehlers, Galloway, Granlund, Grimm, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Nelson D., Nickell, Nisbet, Padden, Prince, Pruitt, Rinehart, Rust, Salatino, Sherman, Taylor, Valle, Van Dyken, Walk, Wang, Williams, Winsley.

Voting nay: Representatives Armstrong, Barrett, Becker, Bender, Bickham, Brekke, Cantu, Chamberlain, Chandler, Cole, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Garrett, Garson, Greengo, Hankins, Hastings, King R., Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., North, O'Brien, Owen, Patrick, Rosbach, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Bond, Houchen, Martinis.

On motion of Mr. Chandler, the following amendment by Representatives Chandler and Sommers was adopted:

On page 17, line 4 after "designs" strike "for the" and insert "and begin"

On motion of Mr. Mitchell, the following amendment by Representatives Mitchell, Galloway, Fiske, King (J), Nelson (G) and Salatino was adopted:

On page 17, after line 21 add a new section as follows:

"NEW SECTION. Sec. 12. There is added to chapter 43.99 C RCW a new section to read as follows:

The department of social and health services is authorized to proceed with Phase III of Referendum 37 according to the department's recommendation, involving nineteen projects and totaling \$1,211,731.00."

Renumber the remaining sections consecutively.

Mr. Williams moved adoption of the following amendment:

On page 18, after line 1 insert the following:

"NEW SECTION. Sec. 13. The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state. The legislature also recognizes that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, the intent of section 14 of this act is to provide the director of fisheries with the funds to undertake enhancement projects which will:

(1) Improve the streams and rivers of this state which are important to the success of the state's natural stocks of salmon;

(2) Create employment opportunities for the citizens of those communities in which unemployment rates are high as a result of unemployment in the timber and fishing industries; and

(3) Provide maximum utilization of existing salmon stocks.

Sec. 14, Section 15, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

(1) Renovate to meet health, safety, and code requirements.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	655,000	248,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		1,595,840

(2) Continue pollution abatement and pond cleaning to meet various water quality standards.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	732,000	1,269,715
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		3,998,940

(3) Provide handicap access to various facilities.

	Reappropriation	Appropriation
General Fund—Federal GF, Fish Cap Proj Acct	243,000	256,614
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		595,991

(4) Provide necessary replacements and alterations at facilities to maintain current productions.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	1,466,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		2,489,250

(5) Stabilize Jordan Creek at Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	216,000	224,266
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	25,734	466,000

(6) Complete projects for improvement of operations and production efficiency.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	542,000	
Project Costs	Estimated Costs	Estimated Total

Through 6/30/81	7/1/83 and Thereafter	Costs
843,964		1,385,964

(7) Complete salmon enhancement program. The \$2,000,000 salmon enhancement construction account appropriation is to provide increased funding for the Skagit River spawning channel and is contingent on the enactment of Senate Bill No. 3586 during the 1981 regular session of the legislature. Up to five million dollars of the moneys available under this subsection may be used by the director of fisheries for projects under section 13 of this 1982 act.

	Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct	14,381,000	2,000,000
General Fund—Federal	1,559,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
18,484,500		36,424,500

(8) Complete outdoor recreation account projects.

	Reappropriation	Appropriation
GF, ORA—State	((186,000))	
	236,000	
GF, ORA—Federal	((254,000))	
	<u>299,000</u>	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
590,327		((1,030,327))
		<u>1,125,327</u>

(9) Replace auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		327,366
GF, Fish Cap Proj Acct	18,000	302,184
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
160,000		807,550

(10) Provide artificial reef structures in Puget Sound and Hood Canal.

	Reappropriation	Appropriation
GF, ORA—State	205,000	
GF, ORA—Federal	205,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		410,000

(11) Construct wooden walkways and handrails at Westhaven Cove Marina, Westport.

	Reappropriation	Appropriation
GF, ORA—State	62,000	
GF, ORA—Federal	62,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		124,000

(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek.

	Reappropriation	Appropriation
GF, ORA—State	322,500	
GF, ORA—Federal	322,500	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		645,000

(13) Construct public fishing pier and related facilities on the downtown Tacoma waterfront of Commencement Bay.

	Reappropriation	Appropriation
GF, ORA—State	339,250	99,250
GF, ORA—Federal	339,250	99,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		877,000

(14) Replace auxiliary fuel tanks at hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		30,558
GF, Fish Cap Proj Acct		144,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(15) Rebuild main water supply, Humptulips Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		331,663
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(16) Replace sand separator, Green River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		91,175
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		91,175

(17) Construct adult holding and spawning facilities, Buck Creek Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		340,769
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		340,769

(18) Construct adult holding and spawning pond, Lewis River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		439,520
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		439,520

(19) Construct new incubation system, George Adams Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		392,832
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		392,832

(20) Replace fishway intake, Sunset Falls.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		133,416
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		133,416

(21) Provide riprap for erosion control, Green River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		39,519
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		39,519

(22) Provide isolated storage buildings or approved cabinet facilities for volatile products storage at primary hatchery locations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		56,223
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		56,223

(23) Replace electrical service, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		77,260
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		77,260

(24) Install new incubation system, Lewis River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		231,579

	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			231,579
(25) Install intake pump, Skagit Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			161,912
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			161,912
(26) Replace storage building, Washougal Hatchery.			
		Reappropriation	Appropriation
General Fund—Federal			59,803
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			59,803
(27) Replace roofs, Kalama Falls and Elokomina Hatcheries.			
		Reappropriation	Appropriation
General Fund—Federal			51,623
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			51,623
(28) Install Heath incubators, Simpson Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			122,112
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			122,112
(29) Complete building renovation, Puyallup Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			130,567
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	74,470		205,037
(30) Cover work area with asphalt, Hood Canal Hatchery.			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			14,588
	Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
			14,588

(31) Install gas island, Elwha Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,209
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,209

(32) Install effluent-line booster pump, Humptulips Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,914
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,914

(33) Construct adult holding and spawning pond, Skykomish Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		194,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		194,700

(34) Install 10,000-gallon, fresh water, metal storage tank, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		20,721
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		20,721

(35) Replace gravity pipeline, Hord Creek Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		179,166
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		179,166

(36) Replace pond drains, Issaquah Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		207,254
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		207,254

(37) Install deep saltwater pipe and filter system, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		68,600
Project	Estimated	Estimated

Costs Through 6/30/81	Costs 7/1/83 and Thereafter	Total Costs
(38) Construct new storage buildings, Elwha, Humptulips, and Skagit Hatcheries.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		154,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
297,000		451,100
(39) Install Heath incubators, Washougal Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		136,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		136,402
(40) Provide domestic water supply and incinerator toilet, Garrison Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		29,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
325,000		354,402
(41) Install Heath incubators and improve water supply, Skykomish Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		406,217
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		406,217
(42) Install adult trapping weirs and salmon egg incubation boxes in various streams, western Washington.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		140,920
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
130,000	690,000	960,920
(43) Construct adult pond separators, Soleduck Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	40,000	58,135
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
172,063		270,198

(44) Install incubation filters, Grays River Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		160,062
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		160,062

(45) Install permanent sills, Kalama Falls Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		364,946
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(46) Improve adult holding pond and spawning structures, Elokomina Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		71,497
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(47) Install electric automated seawater system, Willapa Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		8,820
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,820

(48) Improve grounds and blacktop laboratory site area, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		46,983
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		46,983

(49) Repair gabion sill, Soleduck Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		47,092
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		47,092

(50) Asphalt rearing pond, Klickitat Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		36,392
Project	Estimated	Estimated

Costs Through 6/30/81	Costs 7/1/83 and Thereafter	Total Costs
		36,392
(51) Repair standard ponds, Klickitat Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		266,066
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		266,066
(52) Construct public recreational fishing access facilities on the pontoon level of the Hood Canal bridge.		
	Reappropriation	Appropriation
GF, ORA—State	190,000	
GF, ORA—Federal	190,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		380,000
(53) Place gravel on public recreational tideland area, Seahurst County Park.		
	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000
(54) Place gravel on public recreational tideland area, Fay Bainbridge.		
	Reappropriation	Appropriation
GF, ORA—State		7,000
GF, ORA—Federal		7,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		14,000
(55) Place gravel on public recreational tideland area, Quartermaster Harbor.		
	Reappropriation	Appropriation
GF, ORA—State		4,250
GF, ORA—Federal		4,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,500
(56) Place gravel on public recreational tideland area, Fry Cove County Park.		
	Reappropriation	Appropriation
GF, ORA—State		17,750
GF, ORA—Federal		17,750

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		35,500

(57) Place gravel on public recreational tideland area, Bywater Bay.

	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000

(58) Renovate and improve to protect park and boat launch from erosion, Pillar Point.

	Reappropriation	Appropriation
GF, ORA—State		81,700
GF, ORA—Federal		81,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		163,400

(59) Acquire tidelands and/or saltwater shoreline access.

	Reappropriation	Appropriation
GF, ORA—State		100,000
GF, ORA—Federal		100,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000

(60) Purchase a salmon rearing net pen complex.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		200,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000*

Renumber the sections consecutively.

On motion of Mr. Williams, the following amendment to the amendment was adopted:
On page 3, line 29 strike "~~(1,030,327)~~ 1,125,327" and insert "1,030,327"

The Speaker stated the question before the House to be the amendment by Representative Williams and others as amended.

Representatives Williams and Nisbet spoke in favor of the amendment as amended, and it was adopted.

On motion of Mr. Chandler, the following amendments were adopted:

On page 18, after line 1 insert the following:

"Sec. 13. Section 7, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ~~((SOCIAL AND HEALTH SERVICES—FOR ADULT))~~
CORRECTIONS

((The appropriations contained in this section shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature.))

- (1) Construct and equip a 100-man honor camp.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		100,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,207,259		3,307,259	9/81

- (2) Construct and equip a 120-man housing unit at the Washington Corrections Center.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		500,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
2,927,000		3,427,000	9/81

- (3) Convert 300-bed minimum security building to medium security at the Washington State Penitentiary.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,275,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
4,153,000		5,428,000	12/81

- (4) Construct and equip maximum security facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
11,054,000		12,054,000	6/82

- (5) Renovate and expand visiting, dining, and recreation facility at the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
524,000		1,524,000	2/82

- (6) Construct a 500-man medium security corrections center on the grounds of the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		4,000,000	28,433,300
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,429,000		33,862,300	9/83

- (7) To improve security, facilities, and utilities, Phase II, Washington State Penitentiary: PROVIDED, That if alternative housing arrangements are approved by the special master, \$2,500,000 of this appropriation, which is intended to be used only for the construction of temporary inmate housing, shall be placed in

reserve and left unexpended. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	2,900,000 Estimated Total Costs	19,450,200 Estimated Completion Date
3,024,000	5,245,300	30,619,500	6/84

(8) Improve security, facilities, and ventilation at the Washington State Reformatory, Phase I. If construction has not begun by August 15, 1982, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	8,911,400	9,634,800	12/85

(9) Purchase equipment for institutional industries at the Washington State Penitentiary ((~~81-83~~)), Washington State Reformatory ((~~83-85~~)), and Purdy Treatment Center for Women ((~~83-85~~)).

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	((334,300))	((834,300)) <u>500,000</u>	6/83

(10) Make repairs and alterations to McNeil Island Penitentiary to maintain serviceability of the institution for short-term use by the state. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the funds unexpended as of June 30, 1981, shall be reappropriated for the 1981-83 biennium. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the GF, CEP & RI Acct appropriation shall be reduced by the amount of the appropriation in House Bill No. 459, but in no case shall the reappropriation plus the appropriation exceed \$2,674,900. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		2,674,900	6/83

(11) Repair and expand education building damaged by December 31, 1980, fire at Washington Corrections Center. If construction has not begun by August 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
			1,386,000

6/30/81	Thereafter		
		1,386,000	4/82
(12) Fire and safety improvements at the Washington State Penitentiary.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		220,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
529,000		749,000	9/81
(13) Fire and safety improvements at the Washington State Reformatory.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		700,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
604,000		1,304,000	9/81
(14) To repair and improve utilities and facilities—Omnibus: PROVIDED, That if a department of corrections is not created during the 1981 regular session of the legislature, this appropriation shall be transferred to the budget and fiscal services division of the department of social and health services.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,600,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,600,000	12/83
(15) Complete a ten-year facility plan by December 15, 1981, identifying year-by-year projected population for all institutional and noninstitutional correctional programs including jails; space standards for residential and support service facilities; the capacity of existing facility resources; and the projected demand for additional space based upon these projections, standards, and resources. It is the intent of this appropriation to provide the data to support the need for any additional correctional beds and, if needed, based on this data, to determine feasible locations for new adult corrections facilities and to initiate planning and design for any new facility(s): PROVIDED, That no funds shall be expended for design without this plan being presented to the house and senate ways and means committees.			
		Reappropriation	Appropriation
GF, DSHS Constr Acct			1,285,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,285,000	8/85*

Renumber the sections consecutively.

On page 18, after line 5 insert the following: "**NEW SECTION.** Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On motion of Mr. Nelson (G), further consideration of Substitute House Bill No. 1230 was deferred.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sanders, Patrick and King (J) as conferees on Engrossed Senate Bill No. 4748.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Friday, March 19, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 19, 1982.

The House was called to order at 11:00 a.m. by the Speaker (Mr. Amen presiding). The Clerk called the roll and all members were present except Representatives Bender, Eng, Martinis, North, Salatino and Winsley. Representatives Bender, Martinis and North were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cheryl Hooper and Debbie Long. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1232, by Representatives Wilson and Martinis:

AN ACT Relating to transportation; amending section 5, chapter 39, Laws of 1970 ex. sess. as last amended by section 6, chapter 344, Laws of 1981 and RCW 41.05.050; amending section 46.68.030, chapter 12, Laws of 1961 as last amended by section 9, chapter 342, Laws of 1981 and RCW 46.68.030; amending section 47.60.310, chapter 13, Laws of 1961 as amended by section 1, chapter 29, Laws of 1977 and RCW 47.60.310; amending section 5, chapter 344, Laws of 1981 and RCW 47.60.326; amending section 47.64.090, chapter 13, Laws of 1961 and RCW 47.64.090; amending section 9, chapter 344, Laws of 1981 (uncodified); adding a new section to chapter 41.58 RCW; adding a new section to chapter 47.60 RCW; adding new sections to chapter 47.64 RCW; repealing section 7, chapter 344, Laws of 1981 and RCW 41.06.166; repealing section 8, chapter 24, Laws of 1972 ex. sess., section 10, chapter 342, Laws of 1981 and RCW 47.60.325; repealing section 47.64.010, chapter 13, Laws of 1961, section 33, chapter 296, Laws of 1975 1st ex. sess., section 1, chapter 344, Laws of 1981 and RCW 47.64.010; section 2, chapter 344, Laws of 1981 and RCW 47.64.031; repealing section 3, chapter 344, Laws of 1981 and RCW 47.64.100; repealing section 4, chapter 344, Laws of 1981 and RCW 47.64.110; repealing section 47.64.040, chapter 13, Laws of 1961, section 35, chapter 296, Laws of 1975 1st ex. sess., section 1, chapter 73, Laws of 1979 ex. sess. and RCW 47.64.040; providing penalties; and declaring an emergency.

To Committee on Transportation

HOUSE BILL NO. 1233, by Representatives Brown and Salatino:

AN ACT Relating to public power; and amending section 43.52.410, chapter 8, Laws of 1965 as amended by section 9, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.410.

To Committee on Local Government

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-167, by Representatives O'Brien and Amen:

WHEREAS, Philip J. Raboin was born on June 30, 1911 in Raboin, Minnesota and moved to Klickitat, Washington in 1921, and was a talented, self-taught technician of skill and accomplishment, an organist and printer; and

WHEREAS, Philip J. Raboin was a master theater organist who from 1925 to 1933, played in many of the well-known silent movie theaters of the time; and

WHEREAS, He produced the first campaign brochure for Al Henry, who later became President Pro Tempore of the Senate, and who, as a newly-elected Representative in the 1945 Session of the Legislature, with Lieutenant Governor Victor Meyers, brought Phil to the Washington State Legislature to play the organ in the State Capitol Reception Room; and

WHEREAS, Philip J. Raboin was the state organist, known by all visitors to the State Capitol, and was a quiet, unassuming man who provided pleasure and respite from daily cares with his music in the Rotunda from 1945 until his retirement in 1980; and

WHEREAS, He was a great success and became the only state organist in the nation, sharing his talents and time with Presidents, Governors and people from all over the world; and

WHEREAS, Philip J. Raboin was a veteran of World War II, and during his lifetime, was recognized in "Time" magazine in an article entitled "Thunder Under the Dome," and from 1945 to 1952 played the organ for the radio program, "Out of the Night," broadcast all over the United States and Radio Free Europe from the State Capitol Reception Room;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the House recognize and commemorate Philip J. Raboin's many contributions, not only to the people of the state of Washington, but also to people from all over the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be suitably inscribed by the Chief Clerk of the House of Representatives and sent to Philip's sister, Doris Larson of Cass Lake, Minnesota, and to his niece, Mary Alice Lewis of Olympia.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien and Fancher spoke in favor of it.

House Resolution No. 82-167 was adopted.

HOUSE RESOLUTION NO. 82-120, by Representatives Hine, Nisbet, Becker, Padden, Barnes, Stratton, Greengo, Kreidler, Rust, Bender, King (J), Sommers, Galloway, Brekke, Burns, Winsley and Armstrong:

WHEREAS, Hundreds of runaway children in the state of Washington are living on the streets without adequate care or shelter; and

WHEREAS, More than half of the runaways have left their homes because of child abuse; and

WHEREAS, Many runaways must depend on prostitution, theft, or other crimes to survive; and

WHEREAS, The Legislature, under RCW 13.32A.050, has directed law enforcement officers to take a child into custody if the officer reasonably believes that the child is in circumstances which constitute a danger to the child's physical safety; and

WHEREAS, The Legislature, under RCW 74.13.032, has authorized the creation of semisecure regional crisis residential centers and group and family foster-care crisis residential centers to be the primary resources for runaway children; and

WHEREAS, Regional crisis residential centers designed to deal with runaways are currently being used primarily for the hard-to-place child with substantial emotional and behavioral problems instead of being made available for runaways; and

WHEREAS, An inadequate number of group and family foster-care crisis residential centers have been established to serve as a resource for runaways; and

WHEREAS, The inadequacy of these resources seriously undermines the ability of the state to alleviate the runaway problem;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Department of Social and Health Services is requested to: (1) Utilize regional crisis residential centers as a primary resource for runaway children; (2) submit a report to the House of Representatives no later than January 5, 1983, describing a program to give meaningful levels of support to group homes and foster homes to enable them to function as semisecure crisis residential centers; (3) submit a report to the House of Representatives no later than January 5, 1983, describing a program to address the long-term needs of hard-to-place children with substantial emotional and behavioral problems; and (4) continue its efforts at least through the current biennium to educate communities and affected personnel concerning their obligations under the provisions of chapter 13.32A RCW and to educate parents concerning their rights thereunder. The Department must confer with the appropriate Legislative committees to define the scope of reports to be submitted pursuant to this resolution; and

BE IT FURTHER RESOLVED, That the House of Representatives requests law enforcement agencies to redouble their efforts to protect the welfare of children in danger of physical harm pursuant to the provisions of law.

On motion of Ms. Hine, House Resolution No. 82-120 was adopted.

HOUSE RESOLUTION NO. 82-125, by Representatives Owen and Erak:

WHEREAS, The many crucial public services performed on a daily basis by state employees deserve the appreciation of the citizens of this state on whose behalf those services are performed; and

WHEREAS, Individual state employees, in the performance of their duties to the citizens of this state, are called upon each day to respond to emergencies which endanger human life; and

WHEREAS, On February 14, 1982, Robert N. Johnson, a heavy equipment operator for the State Department of Transportation, died in a massive mudslide near Porter, Washington, while searching for possible victims of an earlier slide; and

WHEREAS, The selfless courage and noble dedication of Robert N. Johnson stands as a testament to the daily sacrifices made by thousands of state employees in the performance of their jobs; and

WHEREAS, The endeavors and sacrifices of such dedicated public servants deserve the profound respect and deep appreciation of the elected officials and the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the inestimable sacrifice of Robert N. Johnson be acknowledged by the citizens of this state and accorded our unreserved admiration as the laudable and courageous effort of a dedicated public servant who, in the face of ultimate peril, chose to risk his life to serve the people of this state.

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to the family of Robert N. Johnson.

On motion of Mr. Owen, House Resolution No. 82-125 was adopted.

HOUSE RESOLUTION NO. 82-126, by Representatives Patrick, McDonald, Sanders, Cantu, Dawson, Granlund, Sherman, North, Brown, Ehlers, Teutsch, Warnke, Nisbet, Galloway, Garrett and Salatino:

WHEREAS, The student congress provides fundamental insights into our political process; and

WHEREAS, The student congress provides a unique and valuable learning experience for students enabling the students to actually participate in governmental processes; and

WHEREAS, Participation in the student congress, by teaching the students the fundamental principles of our democratic system, helps create the future leaders of our society; and

WHEREAS, Many legislators, through programs such as the student congress, received their initial learning experiences about legislative procedures;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, That the student congress be commended for the invaluable experiences provided to the youth and future leaders of our state; and

BE IT FURTHER RESOLVED, That the student congress be permitted to use the House Chambers during December 2 through December 4, 1982, if feasible.

On motion of Mr. Patrick, House Resolution No. 82-126 was adopted.

HOUSE RESOLUTION NO. 82-127, by Representatives Rinehart, Kreidler, Burns, Pruitt, Scott, Granlund, Cole, Eng, Valle, Wang, Lux and Maxie:

WHEREAS, The United States of America was founded upon essential human rights such as freedom of the press, freedom of speech, and the right of citizens to life, liberty, and justice; and

WHEREAS, The United States should promote these essential human rights throughout the world; and

WHEREAS, The central American country of El Salvador is in the midst of a civil war resulting in the deaths of more than thirty thousand civilians since October of 1979; and

WHEREAS, United States military appropriations to El Salvador in 1980 and 1981 amounted to forty million dollars, and appropriations for 1982 have amounted to eighty-one million dollars; and

WHEREAS, The United States has sent military personnel to El Salvador, and has begun training Salvadoran officers in this country; and

WHEREAS, The 1982 Congressional appropriations for military aid to El Salvador were conditioned upon certification to the United States Congress by the President of the United States that the condition of human rights in El Salvador has improved; and

WHEREAS, Documented reports of human rights violations by Salvadoran government security forces continue, including the illegal detention of civilians, systematic destruction of private property, suppression of free speech, and the killing of innocent civilians; and

WHEREAS, One thousand civilians were executed by Salvadoran troops in the village of Mozote in December of 1981, according to United States news sources and the El Salvador Human Rights Commission; and

WHEREAS, The possibility of further involvement in the affairs of El Salvador grows larger as United States military commitment increases and the possibility of sending United States troops to El Salvador has not been ruled out by key foreign policy leaders; and

WHEREAS, Demand for government resources grows more acute in the United States as unemployment continues to climb and domestic needs become more pressing;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives questions the spending of tax dollars for military aid to El Salvador and requests the government of the United States to rechannel these public funds to domestic needs; and

BE IT FURTHER RESOLVED, That the House of Representatives requests the Washington Congressional delegation to hold public hearings in Washington State for Washington citizens to express their opinions concerning the appropriate use of these funds, and that copies of this resolution be sent immediately to the Honorable Ronald Reagan, President of the United States, the Secretary of State, and to the Washington State delegation.

Ms. Rinehart moved adoption of the resolution. Representatives Rinehart, King (R) and Valle spoke in favor of it, and Representatives Nisbet, McGinnis and Van Dyken spoke against it.

Mr. Nelson (G) moved that the the resolution be laid on the table, and a division was called.

ROLL CALL

The Clerk called the roll on the motion to table House Resolution No. 82-127, and the motion was carried by the following vote: Yeas, 55; nays, 36; not voting, 7.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, Monohon, Nelson D., O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Bender, Chandler, Eng, Martinis, North, Salatino, Winsley.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Tilly, Van Dyken and Kreidler as conferees on Substitute Senate Bill No. 4153.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

SENATE AMENDMENTS TO HOUSE BILL

March 17, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 808 with the following amendments:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) For design, site preparation including land acquisition at a nominal cost, and utilities for a 500-bed medium security corrections center.

General Fund—State Social and Health Services Construction Account

Appropriation \$ 9,750,000

(2) For design, site preparation including land acquisition at nominal cost, and utilities to provide for the future construction and equipping of a 500-bed medium security corrections center. The design of this correction center shall be in common with the 500-bed medium security correction center to be constructed pursuant to subsection (1) of this section.

General Fund—State Social and Health Services Construction Account

Appropriation \$ 10,550,000

(3) To repair heating and ventilation systems at the McNeil Island Corrections Center: PROVIDED, That these funds shall not be expended until the department of general administration completes an engineering energy audit of this facility as authorized under RCW 43.19.675.

General Fund—State Social and Health Services Construction Account

Appropriation \$ 500,000

Sec. 2. Section 1, chapter 234, Laws of 1981 and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred fifty-four million eight hundred fifty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due."

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 1, chapter 234, Laws of 1981 and RCW 43.83H.172; and amending section 2, chapter 176, Laws of 1974 ex. sess. and RCW 43.17.200."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nisbet, the House refused to concur in the Senate amendments to Substitute House Bill No. 808 and asked the Senate to recede therefrom.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 19, 1982

ENGROSSED SENATE BILL NO. 4133, Prime Sponsor: Senator Quigg, modifying the adjustments in compensation or death benefits payable under the industrial insurance system. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, after line 30 insert the following:

*Sec. 3. Section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 54, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.190 are each amended to read as follows:

(1) If the self-insurer denies a claim for compensation, written notice of such denial, clearly informing the claimant of the reasons therefor and that the director will rule on the matter shall be mailed or given to the claimant and the director within (~~seven~~) thirty days after the self-insurer has notice of the claim.

(2) Until such time as the department has entered an order in a disputed case acceptance of compensation by the claimant shall not be considered a binding determination of his or her rights under this title. Likewise the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments.

(3) Upon making the first payment of income benefits, and upon stopping or changing of such benefits except where a determination of the permanent disability has been made as elsewhere provided in this title, the self-insurer shall immediately notify the director in accordance with a form to be prescribed by the director that the payment of income benefits has begun or has been stopped or changed. Where temporary

disability compensation is payable, the first payment thereof shall be made within fourteen days after notice of claim and shall continue at regular semimonthly or biweekly intervals.

(4) If, after the payment of compensation without an award, the self-insurer elects to controvert the right to compensation, the payment of compensation shall not be considered a binding determination of the obligations of the self-insurer as to future compensation payments. The acceptance of compensation by the worker or his or her beneficiaries shall not be considered a binding determination of their rights under this title.

(5) The director (a) may, upon his or her own initiative at any time in a case in which payments are being made without an award, and (b) shall, upon receipt of information from any person claiming to be entitled to compensation, from the self-insurer, or otherwise that the right to compensation is controverted, or that payment of compensation has been opposed, stopped or changed, whether or not claim has been filed, promptly make such inquiry as circumstances require, cause such medical examinations to be made, hold such hearings, require the submission of further information, make such orders, decisions or awards, and take such further action as he or she considers will properly determine the matter and protect the rights of all parties.

(6) The director, upon his or her own initiative, may make such inquiry as circumstances require or is necessary to protect the rights of all the parties and he or she may enact rules and regulations providing for procedures to ensure fair and prompt handling by self-insurers of the claims of workers and beneficiaries."

Remember the remaining section and correct any internal references accordingly.

On page 1, line 6 of the title, after "51.32.080;" insert "amending section 47, chapter 289, Laws of 1971 ex. sess. as last amended by section 54, chapter 350, Laws of 1977 ex. sess. and RCW 51.32.190;"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Smith.

Not attending: Representative Monohon.

Passed to Committee on Rules for second reading.

March 18, 1982

ENGROSSED SENATE BILL NO. 4705, Prime Sponsor: Senator Gallagher, authorizing the use of credit cards for state purchases. Reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 after "institution" insert "or institutions"

Signed by Representatives Addison, Chairman; Garson, Vice Chairman; Greengo, Hankins, Johnson, Lewis, McGinnis, Nickell, O'Brien, Sprague.

Voting nay: Representatives Walk, Ranking Minority Member; Kaiser.

Changing vote from Nay to Yea: Representative Sprague.

Not attending: Representatives Erak, Garson, Nelson (D), Rinehart, Rust.

Passed to Committee on Rules for second reading.

March 18, 1982

SUBSTITUTE SENATE BILL NO. 4841, Prime Sponsor: Committee on Ways and Means, modifying provisions relating to winter recreation. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Thompson, Ranking Minority Member; Amen, Barnes, Ellis, Kaiser, Maxie, Monohon.

Not attending: Representatives King (J), McGinnis, Rosbach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 10:00 a.m., Saturday, March 20, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, March 20, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Dickie, Ellis, Fiske, King (J), Lux, Padden and Scott. Representatives Dickie, Fiske, Padden and Scott were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mike O'Brien and Greg Brown. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 19, 1982

Mr. Speaker:

The Senate has receded from its amendments to HOUSE BILL NO. 1084, and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 19, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4153, and the President has appointed the following Senators to the Conference Committee: Senators Hemstad, Newhouse, Shinpoch.

Sidney R. Snyder, Secretary.

March 19, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4201, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 19, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4733,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 19, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 4748, and the President has appointed the following Senators to the Conference Committee: Senators Benitz, Quigg, Vognild.

Sidney R. Snyder, Secretary.

March 19, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4963,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGE FROM THE GOVERNOR

March 19, 1982

To the Honorable,
The House of Representatives
of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 19, 1982, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 1015: Relating to public facilities.

Sincerely,
Marilyn Showalter, Counsel.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

**SECOND SUBSTITUTE HOUSE BILL NO. 828,
SECOND SUBSTITUTE HOUSE BILL NO. 987,
SUBSTITUTE SENATE BILL NO. 4963.**

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1234, by Representatives Dawson, Struthers, Fancher, Bond, James and Berleen:

AN ACT Relating to salary ranges and classes of public employment; creating a new section; and declaring an emergency.

To Committee on Appropriations – General Government

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

The Speaker declared the House to be at ease until 1:30 p.m.

The Speaker called the House to order at 1:30 p.m.

MESSAGE FROM THE SENATE

March 20, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4369,

and the same is herewith transmitted.

Marilyn Brachtenbach, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, by Committee on Ways and Means (originally sponsored by Senator Scott):

Modifying appropriations for the 1981–83 fiscal biennium.

On motion of Mr. Nelson (G), Engrossed Substitute Senate Bill No. 4369 was referred to Committee on Ways and Means.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 2:30 p.m., Sunday, March 21, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, March 21, 1982.

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng and Padden. Representative Padden was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Carra Bush and Scott Rose. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene, Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 19, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 4824,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 20, 1982

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SENATE BILL NO. 3394, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 20, 1982

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 828,

SECOND SUBSTITUTE HOUSE BILL NO. 987,

SENATE BILL NO. 3394,

SUBSTITUTE SENATE BILL NO. 4201,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 20, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3783,

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216,

SENATE BILL NO. 4634,

SUBSTITUTE SENATE BILL NO. 4864,

ENGROSSED SENATE JOINT MEMORIAL NO. 115,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 20, 1982

Mr. Speaker:

The Senate has adopted

HOUSE CONCURRENT RESOLUTION NO. 37,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1084,
SENATE BILL NO. 3394,
SUBSTITUTE SENATE BILL NO. 4201.

INTRODUCTIONS AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, by Committee on Ways and Means (originally sponsored by Senators Craswell, Jones and Scott):

Authorizing the physical revaluation of property every six years if statistical adjustments are made.

To Committee on Revenue

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, by Committee on Commerce and Labor (originally sponsored by Senator Quigg):

Modifying provisions relating to unemployment compensation.

To Committee on Labor and Economic Development

SENATE BILL NO. 4634, by Senator Scott:

Providing for adjustments in the apportionment of the state levy.

To Committee on Ways and Means

SUBSTITUTE SENATE BILL NO. 4864, by Committee on Local Government (originally sponsored by Senators Goltz and Kiskaddon):

Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.

To Committee on Appropriations – General Government

ENGROSSED SENATE JOINT MEMORIAL NO. 115, by Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman:

Opposing the imposition of user fees to fund federal navigation projects.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills and the memorial listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4824, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Zimmerman and Peterson):

Providing separate chapters of laws of aquatic lands.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Engrossed Substitute Senate Bill No. 4824 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), further consideration of the bill was deferred.

REPORTS OF STANDING COMMITTEES

March 20, 1982

SUBSTITUTE HOUSE BILL NO. 124, Prime Sponsor: Committee on Ways and Means, providing for the payment of costs incurred for accumulated sick leave compensation. Reported by Committee on Appropriations – General Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Williams, Chairman; Amen, Barnes, Ellis, McGinnis, Rosbach, Chandler, Chairman, Committee on Ways and Means.

Voting nay: Representatives Thompson, Ranking Minority Member; Kaiser, Moñohon.

Not attending: Representatives Fiske, Vice Chairman; King (J), Maxie.

Passed to Committee on Rules for second reading.

March 20, 1982

HOUSE BILL NO. 1226, Prime Sponsor: Representative Isaacson, modifying provisions relating to public employment. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Amen, Barnes, Ellis, McGinnis, Rosbach, Chandler, Chairman, Committee on Ways and Means.

Voting nay: Representatives Thompson, Ranking Minority Member; Kaiser, Monohon.

Not attending: Representatives Fiske, Vice Chairman; King (J), Maxie.

Passed to Committee on Rules for second reading.

The Speaker declared the House to be recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, Padden and Sanders. Representative Padden was excused.

MESSAGE FROM THE SENATE

March 21, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 765,
SUBSTITUTE HOUSE BILL NO. 840,
HOUSE BILL NO. 854,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 765,
SUBSTITUTE HOUSE BILL NO. 840,
HOUSE BILL NO. 854,
HOUSE CONCURRENT RESOLUTION NO. 37.

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1226, by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr:

Modifying provisions relating to public employment.

The bill was read the second time. On motion of Mr. Williams, Substitute House Bill No. 1226 was substituted for House Bill No. 1226, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1226 was read the second time.

On motion of Mr. Williams, the following amendments were adopted:

On page 14, line 10 after "of" strike "six months and rejections therein" and insert "up to ((six)) twelve months and rejections therein, depending on the job requirements of the class"

On page 22, line 17 after "appropriated" insert "from the general fund"

Mr. Owen moved adoption of the following amendments by Representatives Owen and Barrett:

On page 8, line 1 after "of" strike "~~((six))~~ up to twelve" and insert "six" and on line 2 after "therein," strike "depending on the job requirements of the class."

On page 14, line 10 strike all of subsection (5) as amended by Representative Williams and insert

"(5) Six-month probationary periods ((of six months)) and rejections therein;"
On page 18, line 8 after "of" strike "~~(six)~~" up to twelve" and insert "six"

Representatives Owen, Erak, Kreidler, Ehlers, Walk, Barrett, and Garson spoke in favor of the amendments, and Representatives Williams and McGinnis spoke against them.

Representatives Ehlers, Owen and Garson spoke again in favor of the amendments, and Mr. Addison spoke against them.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Owen and Barrett to Substitute House Bill No. 1226, and the amendments were not adopted by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Armstrong, Barrett, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, and Mr. Speaker.

Not voting: Representatives Eng, Padden, Sanders.

Mr. Owen moved adoption of the following amendments:

On page 13, line 19 strike all of section 11 and renumber the remaining sections consecutively.
On page 20, line 8 strike all of section 19 and renumber the remaining sections consecutively.

Representatives Owen, Wang and Thompson spoke in favor of the amendments, and Mr. Williams spoke against them.

POINT OF INQUIRY

Mr. Owen yielded to question by Mr. Grimm.

Mr. Grimm: "Representative Owen, in your opening remarks you indicated that by requiring this bell-curve structure of performance evaluation, that it would preclude a manager from giving, even if warranted, more than the curve allowed, or a high or above average evaluation. Would it also be true, as you explained the provisions of the bill as it currently stands unamended, that if you had a tough manager or substandard employees, that even though it may be warranted to have everyone, or a majority of the employees, rated poorly, that this amendment would preclude that type of action as well?"

Mr. Owen: "The answer to your question, Representative Grimm, is 'yes.' If I can have the permission of the House, I will read the particular section that brings that out: 'The board shall adopt rules designed to assure that performance evaluations of employees do not result in the undue concentration of ratings in any one or more of the rating classes, i.e. below average, average, or superior.' So the answer to your question is 'yes.'"

Mr. Grimm spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Williams yielded to question by Ms. Berleen.

Ms. Berleen: "Representative Williams, in there anything in section 11 of this bill that requires a bell-curve or is the undue concentration of ratings left up to the interpretation of the personnel board?"

Mr. Williams: "There is nothing in this bill which requires a bell-curve regarding what we call the 'merit increases.' It's up to the discretion of the board and the board will report back by January 1, 1983 to the President of the Senate and the Speaker of the House if proposed rules implement this program."

Representatives Heck, Garson and Kreidler spoke in favor of the amendments, and Representatives Eberle, McGinnis and Lundquist spoke against them.

Mr. Hastings demanded the previous question and the demand was sustained.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Owen to Substitute House Bill No. 1226, and the amendments were not adopted by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eng, Padden, Sanders.

Mr. Owen moved adoption of the following amendments by Representatives Owen and Leonard:

On page 11, line 30 strike all of subsection (2)

On page 12, line 18 strike all of subsection (4)

On page 18, line 25 strike all of subsection (2)

On page 19, line 15 strike all of subsection (4)

Representatives Owen, Garson, Leonard and Kreidler spoke in favor of the amendments, and Mr. Williams spoke against them.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Owen and Leonard to Substitute House Bill No. 1226, and the amendments were not adopted by the following vote: Yeas, 47; nays, 48; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eng, Padden, Sanders.

Mr. Owen moved adoption of the following amendment:

On page 20, line 19 after "to" strike "impose" and insert "establish a voluntary"

Representatives Owen, Garson, Kreidler, Ehlers and Nelson (D) spoke in favor of the amendment, and Representatives Williams, McGinnis and Nisbet spoke against it.

Mr. Hastings demanded the previous question and the demand was sustained.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Owen to Substitute House Bill No. 1226, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Eng, Padden, Sanders.

Representative Sanders appeared at the bar of the House.

Mr. Lewis moved adoption of the following amendment:

On page 20, line 25 after "program." insert "However, the program shall first be applied to management employees before being applied to nonmanagement employees."

Representatives Lewis, Ehlers and Warnke spoke in favor of the amendment.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lewis to Substitute House Bill No. 1226, and the amendment was adopted by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Brekke, Eng, Padden.

Representative Eng appeared at the bar of the House.

Mr. Owen moved adoption of the following amendments:

On page 21, line 28 after "effective" strike "June 30" and insert "March 31"
On page 22, line 20 after "effective" strike "June 30" and insert "March 31"

Mr. Owen spoke in favor of the amendments, and Mr. Williams opposed them.

Mr. Kreidler demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Owen to Substitute House Bill No. 1226, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Padden.

On motion of Mr. Lewis, the following amendment was adopted:

On page 22, line 22 after "1981." insert the following new sections and renumber the remaining sections consecutively:

***NEW SECTION.** Sec. 26. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, in hiring employees, state officials shall emphasize maintaining those positions with functions permitting the agency to carry out its legislatively mandated mission. As a general rule, hirings shall not disproportionately favor management positions. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year.

NEW SECTION. Sec. 27. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, in hiring employees, state officials shall emphasize maintaining those positions with functions permitting the agency to carry out its legislatively mandated mission. As a general rule, hirings shall not disproportionately favor management positions. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year."

Mr. Kreidler moved adoption of the following amendment by Representatives Kreidler and Garson:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

(1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;

(2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;

(4) The officers of the Washington state patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(a) All members of such boards, commissions, or committees;

(b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(10) Assistant attorneys general;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant;

(14) Officers and employees of the Washington state fruit commission;

(15) Officers and employees of the Washington state apple advertising commission;

(16) Officers and employees of the Washington state dairy products commission;

(17) Officers and employees of the Washington tree fruit research commission;

(18) Officers and employees of the Washington state beef commission;

(19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

(20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

(21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

(22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08-.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;

(23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving

directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights within four years of the exemption: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

(25) Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position.

Sec. 2. Section 10, chapter 1, Laws of 1961 and RCW 41.06.100 are each amended to read as follows:

Any classified employee having civil service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position ~~((at the conclusion of such temporary))~~ within four years from the date of appointment.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ~~((and))~~ the merit system director ((shall be)) is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations ~~((;))~~. The names on such list shall be those of the three standing highest upon competitive examination conducted by a committee of three persons ~~((which shall be))~~ appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management ~~((shall be))~~ are eligible to take such examination.

(3) The director of personnel ~~((shall be))~~ is removable for cause by the governor with the approval of a majority of the board or by a majority of the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 4. Section 15, chapter 1, Laws of 1961 as last amended by section 1, chapter ... (SB 4307), Laws of 1982 and RCW 41.06.150 are each amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter, as now or hereafter amended, and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The reduction, dismissal, suspension, or demotion of an employee;
- (2) Certification of names for vacancies, including departmental promotions, with the number of names equal to ~~((two))~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Appointments, with preference given to promotional candidates;
- (5) Training and career development;
- (6) Probationary periods of ~~((six))~~ up to twelve months and rejections therein, depending on the job requirements of the class, except that entry level state park rangers shall serve a probationary period of twelve months;
- (7) Transfers;

(8) Sick leaves and vacations;

(9) Hours of work;

(10) Layoffs when necessary and subsequent reemployment, both according to seniority;

(11) Determination of appropriate bargaining units within any agency: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(12) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ((said)) the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment ((shall)) constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative ((shall be)) is satisfied by the payment of monthly or other periodic dues and ((shall)) does not require payment of initiation, reinstatement, or any other fees or fines and ((shall)) includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ((shall be)) is entitled to all the representation rights of a union member;

(13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein ((shall)) permits or grants to any employee the right to strike or refuse to perform his official duties;

(15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(16) Allocation and reallocation of positions within the classification plan;

(17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service;

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran ((shall be)) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' ((shall)) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month;

(20) Permitting agency heads to delegate the authority to appoint, reduce, dismiss, suspend, or demote employees within their agencies if such agency heads do not have specific statutory authority to so delegate: PROVIDED, That the board may not authorize such delegation to any position lower than the head of a major subdivision of the agency.

Sec. 5. Section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169 are each amended to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized evaluation

process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section shall apply to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 41.06.169 and such evaluation was satisfactory.

This section applies to any form of salary increase but does not include fringe benefits.

NEW SECTION. Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any state agency, the state maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential for their health and well-being, as well as maintain those positions maintaining the facilities and properties of the state.

(2) In furtherance of this policy, each agency head shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the state.

(4) Whenever a reduction or layoff in workforce is required, each agency head shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each agency head shall also prepare a detailed organizational chart indicating all agency positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each agency; (b) the organizational chart of each agency; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

Sec. 8. Section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040 are each amended to read as follows:

The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(1) Members of the governing board of each institution and related boards, all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Student, part time, or temporary employees, and part time professional consultants, as defined by the higher education personnel board, employed by institutions of higher education and related boards.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution, and related boards, may also exempt from this chapter, subject to the employees right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: **PROVIDED**, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the higher education personnel board under this provision.

(6) The salary and fringe benefits of all exempt positions, except for the presidents, vice presidents and academic personnel in subsection (1) of this section, part-time professional consultants in subsection (2) of this section, and the director under subsection (3) of this section, shall be determined by the higher education personnel board.

Sec. 9. Section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105 are each amended to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure

shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees. This section applies to both classified employees and employees who occupy exempt positions for which the board determines salaries.

NEW SECTION. Sec. 10. There is added to chapter 28B.16 RCW a new section to read as follows:

No salary increase may be granted to any employee who occupies an exempt position for which the board determines the salary unless the employee has received the annual evaluation required under RCW 28B.16.105 and such evaluation was satisfactory.

This section applies to any form of salary increase but does not include fringe benefits.

Sec. 11. Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050 are each amended to read as follows:

Any employee having a classified service status in a position may take a temporary appointment in an exempt position, with the right to return to his regular position, or to a like position, ((at the conclusion of such temporary appointment)) within four years from the date of appointment to the exempt position.

Sec. 12. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;
- (2) Certification of names for vacancies, including promotions, with the number of names equal to ((two)) four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;
- (3) Examination for all positions in the competitive and noncompetitive service;
- (4) Appointments, with preference given to promotional candidates and with provisions for inter-institutional mobility;
- (5) Probationary periods of ((six)) up to twelve months and rejections therein, depending on the job requirements of the class;
- (6) Transfers with provision for inter-institutional mobility;
- (7) Sick leaves and vacations;
- (8) Hours of work;
- (9) Layoffs when necessary and subsequent reemployment, both according to seniority;
- (10) Determination of appropriate bargaining units within any institution or related boards: **PROVIDED**, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;
- (11) Certification and decertification of exclusive bargaining representatives: **PROVIDED**, That after certification of an exclusive bargaining representative and upon ((said)) the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment ((shall)) constitutes cause for dismissal: **PROVIDED FURTHER**, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: **PROVIDED FURTHER**, That for purposes of this clause, membership in the certified exclusive bargaining representative ((shall be)) is satisfied by the payment of monthly or other periodic dues and ((shall)) does not require payment of initiation, reinstatement, or any other fees or fines and ((shall)) includes full and complete membership rights: **AND PROVIDED FURTHER**, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but ((shall be)) is entitled to all the representation rights of a union member;
- (12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;
- (13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: **PROVIDED**, That nothing contained herein ((shall)) permits or grants to any employee the right to strike or refuse to perform his official duties;
- (14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;
- (15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature (~~and which shall be competitive in the state or the locality in which the institution or related boards are located~~), such adoption, revision, and implementation subject to approval as to availability of funds by the director of financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service; and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 13. Section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101 are each amended to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (1) Appointment, promotion, and transfer of employees;
- (2) Dismissal, suspension, or demotion of an employee;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Probationary periods of (~~six~~) up to twelve months and rejections therein;
- (5) Sick leaves and vacations;
- (6) Hours of work;
- (7) Layoffs when necessary and subsequent reemployment;
- (8) Allocation and reallocation of positions within the classification plans;
- (9) Training programs; and
- (10) Maintenance of personnel records.

NEW SECTION. Sec. 14. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, when conditions require reductions or layoffs in the workforce of any institution of higher education or related board, the institution of higher education or related board maintain those positions providing direct care or service to the public, clients, or residents of the state that are essential, as well as maintain those positions maintaining the facilities and properties of the institution of higher education.

(2) In furtherance of this policy, each head of an institution of higher education or related board shall develop plans for implementing reductions or layoffs in the workforce. Plans shall identify those management and nonmanagement positions scheduled for reduction or layoff. Pursuant to these plans, reductions or layoffs in the nonmanagement workforce shall not result in a greater ratio of management to nonmanagement positions in the agency than existed immediately prior to the reductions or layoffs.

(3) All plans shall be submitted to the office of financial management. The director of financial management may grant exceptions to the requirements of subsections (1) and (2) of this section when the director finds that compliance would inordinately disrupt the delivery of services or maintenance of facilities and properties of the institutions of higher education.

(4) Whenever a reduction or layoff in workforce is required, each head of an institution of higher education or related board shall prepare a list indicating the actual number of layoffs among management and nonmanagement positions. Each head of an institution of higher education or related board shall also prepare a detailed organizational chart indicating all positions and their interrelationships. All lists and organizational charts shall be submitted to and reviewed by the office of financial management. On or before January 15, 1982, and each year thereafter, the office of financial management shall file a report with the committees on state government of the senate and the house of representatives. The report shall contain: (a) A listing of actual layoffs among management and nonmanagement positions by each institution of higher education or related board; (b) the organizational chart of each institution of higher education or related board; (c) recommendations for furthering the policy and requirements of this section; and (d) a listing

indicating those instances where the director of financial management has granted exceptions under subsection (3) of this section.

Sec. 15. Section 12, chapter 311, Laws of 1981 and RCW 41.64.110 are each amended to read as follows:

Hearings on such appeals shall be open to the public, except for cases in which the board determines there is substantial reason for not having an open hearing or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his or her appointing agency shall be notified reasonably in advance of the hearing and may select representatives of their choosing, present and cross-examine witnesses, and give evidence before the board. Members of the board or the executive secretary may, and shall at the request of either party, issue subpoenas and subpoenas duces tecum. All testimony shall be on oath administered by a member of the board. The board shall certify to the superior court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and, if the evidence warrants, punish such refusal in the same manner and to the same extent as for contempt committed before, or in connection with the proceedings of, the court. The board shall prepare an official record of the hearing, including all testimony, recorded manually or by mechanical device, and exhibits; but it may not be required to transcribe such record unless requested by the payment of a reasonable charge therefor. The employee (~~shall be reimbursed by the employing agency for the cost of a transcript used on appeal if the employee prevails before the court~~) shall be furnished with a complete transcript upon payment of a reasonable charge therefor, except for transcripts certified to the superior court on appeal as provided in RCW 41.64.130(3) (section 14(3), chapter 311, Laws of 1981). Payment of the cost of a transcript used on appeal shall await determination of the appeal and shall be made by the employing agency if the employee prevails.

NEW SECTION. Sec. 16. There is added to chapter 41.06 RCW a new section to read as follows:

No person who voluntarily terminates his employment relationship with a state agency shall thereafter have any preference to re-appointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

NEW SECTION. Sec. 17. There is added to chapter 28B.16 RCW a new section to read as follows:

No person who voluntarily terminates his employment relationship with an institution of higher education shall thereafter have any preference to re-appointment, other than that which might result from the experience and skills, if any, gained during such prior employment.

NEW SECTION. Sec. 18. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Mr. Kreidler spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Kreidler yielded to question by Mr. Williams.

Mr. Williams: "Representative Kreidler, does your amendment contain the change of the rule of three to the rule of five?"

Mr. Kreidler: "It should."

Mr. Williams: "Where is it?"

Mr. Kreidler: "Look on page 10, line 4, the language says, 'four more names than there are vacancies,' meaning five. That's the rule of five broadened from the rule of three. That language is definitely there."

Mr. Williams spoke against the amendment, and Mr. Kreidler spoke again in favor of it.

Mr. Garson spoke in favor of the amendment, and Mr. James opposed it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kreidler and Garson to Substitute House Bill No. 1226, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell,

Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Padden.

Substitute House Bill No. 1226 was ordered engrossed and passed to Committee on Rules for third reading.

SUBSTITUTE HOUSE BILL NO. 124, by Committee on Ways and Means (originally sponsored by Representatives Winsley, Addison, Wang, King, J., Johnson, Granlund, McGinnis and Eberle):

Authorizing flexible-time work schedules for public employees.

The bill was read the second time. On motion of Mr. Williams, Second Substitute House Bill No. 124 was substituted for Substitute House Bill No. 124, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 124 was read the second time and passed to Committee on Rules for third reading.

MOTIONS

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

On motion of Mr. Nelson (G), **HOUSE BILL NO. 803** was rereferred from Select Committee on Deregulation and Productivity to Committee on Appropriations - General Government.

MESSAGES FROM THE SENATE

March 21, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 923,
SECOND SUBSTITUTE SENATE BILL NO. 3775,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1982

Mr. Speaker:

The Senate has adopted:

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 137,
SENATE CONCURRENT RESOLUTION NO. 138,
ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 21, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1084,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 21, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, Prime Sponsor: Committee on Social and Health Services, modifying provisions relating to social and health services. Reported by Committee on Appropriations - Human Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 18 after "period" insert "provided that the department shall attempt to establish a system whereby in an individual case no single provider must bear a disproportionate percentage of the deductible for a given claim".

On page 8, line 8 after "department" insert "; provided that if the department chooses to authorize the provision of chiropractic services, the department shall develop utilization standards of care to determine medical need"

On page 9, line 8 after "secretary" insert "; provided that if the department chooses to authorize the provision of chiropractic services, the department shall develop utilization standards of care to determine medical need"

On page 9, beginning on line 22 strike all of New Section 5 and renumber the remaining sections consecutively.

Signed by Representatives Nisbet, Chairman; Berleen, Vice Chairwoman; Brekke, Dawson, Houchen, Johnson, Kreidler, Mitchell, Pruitt, Tilly, Valle.

Not attending: Representative Becker, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 21, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, Prime Sponsor: Committee on Ways and Means, modifying appropriations for the 1981-83 fiscal biennium. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ((+163,000))
1,628,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$200,000 is provided solely for the purchase of consulting services to study the following higher education issues:

- (a) The duplication of programs;
- (b) Defining the role, mission, and goals of The Evergreen State College;
- (c) The coordination and delivery of vocational education;
- (d) The waiver of tuition for certain students;
- (e) The support of intercollegiate sports with state funds; and
- (f) The appropriate level of classroom contact hours.

(2) \$200,000 is provided solely for the purchase of consulting services to study the following common school issues:

- (a) The need for educational staff associates;
- (b) Student voucher system;
- (c) Productivity increases of teaching staff;
- (d) 'Fast track' system for advanced students;
- (e) Modifications of the basic education funding formula;
- (f) Reductions of paperwork; and
- (g) Modifications to the continuing contract laws and the collective bargaining statutes.

(3) \$100,000 is provided solely for the purchase of consulting services to study the following agency and function elimination or consolidation issues:

- (a) Department of ecology;
- (b) Emergency services;
- (c) Department of veteran's affairs;
- (d) Consolidation of the departments of fisheries and game;
- (e) Consolidation of park functions in the department of natural resources, the parks and recreation commission, the department of game, and the department of fisheries.

(4) Copies of these studies are to be submitted to the house and senate ways and means committees by January 15, 1983.

Sec. 2. Section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ((+180,000))
1,145,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ((296,000))
287,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation	\$	((4,275,000))
		4,147,000

Sec. 5. Section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation	\$	((5,710,000))
		5,630,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation	\$	((1,658,000))
		1,608,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation	\$	((7,820,000))
		7,720,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((10,485,000))
		10,295,000
General Fund—Judiciary Education Account Appropriation	\$	359,000
Total Appropriation	\$	((10,844,000))
		10,654,000

The appropriations in this section are subject to the following conditions ((or)) and limitations:

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$310,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((264,000))
		129,000

The appropriation in this section is subject to the following condition or limitation: \$129,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,195,000))
		3,299,000
General Fund Appropriation—Federal	\$	2,200,000
Total Appropriation	\$	5,499,000

The appropriations in this section ((ts)) are subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the

governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

(5) \$200,000 of the general fund—state appropriation and \$2,200,000 of the general fund—federal appropriation are provided solely for energy-related activities formerly performed by the state energy office.

Sec. 11. Section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State.....	\$	((137,236,000))
		100,569,000
General Fund Appropriation—Federal.....	\$	((24,211,000))
		17,146,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund Appropriation.....	\$	((48,687,000))
		34,372,000
Total Appropriation.....	\$	((210,134,000))
		152,087,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of ~~\$((2,247,000))~~ 2,180,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of ~~\$((129,349,000))~~ 85,684,000 of general fund moneys (including ~~\$((19,049,000))~~ 11,984,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) (~~and effective February 1, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board))~~): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of ~~\$((39,155,000))~~ 24,840,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution

increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

(g) During the period beginning on the effective date of this 1982 act and ending July 1, 1983, no increment salary increases shall be authorized or granted. Each elected state official shall revise allotments of agencies for which the official has allotment revision authority to reflect the elimination of increment increases. Moneys which would have been used for increment increases shall be used for the salary increases granted on October 1, 1981, under this section.

Sec. 12. Section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((203,000))
		197,000

Sec. 13. Section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,800,000))
		3,686,000
Archives and Records Management Account Appropriation	\$	1,135,000
Total Appropriation	\$	((4,935,000))
		4,821,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$25,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS
Commission on Mexican-American Affairs

General Fund Appropriation	\$	((105,000))
		55,000

Commission on Asian-American Affairs

General Fund Appropriation	\$	((105,000))
		55,000

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((105,000))
		55,000

Total Appropriation	\$	((315,000))
		165,000

The appropriations in this section are subject to the following condition ((and)) or limitation: ((The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements)) The appropriations in this section are provided solely for fiscal year 1982.

Sec. 15. Section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State	\$	37,000
State Treasurer's Service Fund Appropriation	\$	((4,930,000))
		5,124,000

Total Appropriation	\$	((4,967,000))
		5,161,000

The appropriations in this section are subject to the following condition or limitation: \$194,000 of the state treasurer's service fund appropriation is provided solely for the development, implementation, and operation of an integrated agency financial reporting system with the treasury accounting system.

Sec. 16. Section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,906,000))
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	1,849,000
General Fund Appropriation—Federal	\$ 352,000
General Fund Appropriation—Private/Local	\$ 48,000
Motor Vehicle Fund Appropriation	\$ 267,000
Auditing Services Revolving Fund Appropriation	\$ 5,265,000
Total Appropriation	\$ ((7,838,000))
	<u>7,781,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. ~~((Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.))~~

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 17. Section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

(1) Auditing services revolving fund;

(2) ~~((Legal services revolving fund;~~

~~((3)))~~ General administration facilities and services revolving fund (excluding the portion reflecting utilities);

~~((4)))~~ (3) Department of personnel service fund; and

~~((5)))~~ (4) Higher education personnel board service fund.

Sec. 18. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$ ((4,300,000))
	3,956,000
Legal Services Revolving Fund Appropriation	\$ ((19,513,000))
	18,537,000
Total Appropriation	\$ ((23,813,000))
	<u>22,493,000</u>

~~((FTE Staff Years—Fiscal Year 1982 317.1))~~

~~((FTE Staff Years—Fiscal Year 1983 320.1))~~

The appropriations in this section are subject to the following conditions ~~((or))~~ and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 19. Section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$ ((12,752,000))
	14,385,000
General Fund Appropriation—Federal	\$ ((6,300,000))
	8,230,000
Total Appropriation	\$ ((19,052,000))
	<u>22,615,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) ~~5((+568,000))~~ 1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided (solely) for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$3,646,000, of which \$1,930,000 is from federal funds, is provided solely for the provision of local government services and to carry out special projects previously provided by the planning and community affairs agency.

NEW SECTION. Sec. 20. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation \$ 330,000

Sec. 21. Section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation \$ ((398,000))
386,000

Data Processing Revolving Fund Appropriation \$ 418,000

Total Appropriation \$ 804,000

The appropriations in this section ((is)) are subject to the following conditions ((or)) and limitations: ((398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations.))

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation to the data processing authority or its successor agency is provided solely for fiscal year 1983.

Sec. 22. Section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation \$ ((31,000))
30,000

Sec. 23. Section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation \$ ((36,493,000))
36,074,000

General Fund—State Timber Tax Reserve Account Appropriation \$ 2,794,000

Motor Vehicle Fund Appropriation \$ 110,000

Total Appropriation \$ ((39,397,000))
38,978,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$((2,444,000)) 2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 24. Section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation \$ ((885,000))
858,000

Sec. 25. Section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State \$ ((6,505,000))
6,450,000

General Fund Appropriation—Private/Local \$ 89,000

General Fund—Motor Transport Account Appropriation \$ 8,688,000

General Administration Facilities and Services Revolving Fund Appropriation \$ 13,378,000

Total Appropriation \$ ~~((28,660,000))~~
28,605,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

(4) \$140,000 of the state general fund appropriation is provided solely to convert the existing storage area in the basement of the public lands building to office space for support service functions. If House Bill No. 1230 is enacted during the 1982 first extraordinary session of the legislature and provides funding for this project, the \$140,000 provided under this section shall lapse.

Sec. 26. Section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation \$ ~~((7,189,000))~~
6,973,000

Sec. 27. Section 30, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution \$ 4,360,000

General Fund Appropriation for refund of deferred property tax \$ ~~((33,000))~~
123,000

General Fund Appropriation for public utility district excise tax distribution \$ ~~((12,673,000))~~
13,205,000

General Fund Appropriation for prosecuting attorneys' salaries \$ 1,449,000

General Fund Appropriation for motor vehicle excise tax distribution \$ ~~((56,632,000))~~
55,332,000

General Fund Appropriation for local mass transit assistance \$ ~~((104,279,000))~~
98,779,000

General Fund Appropriation for camper and travel trailer excise tax distribution \$ 1,940,000

General Fund Appropriation for local fire protection costs \$ 720,000

General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution \$ 728,000

Liquor Excise Tax Fund Appropriation for liquor excise tax distribution \$ ~~((22,389,000))~~
20,357,000

Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution \$ 172,480,000

Liquor Revolving Fund Appropriation for liquor profits distribution \$ ~~((52,775,000))~~
53,600,000

State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties \$ ~~((21,400,000))~~
17,570,000

State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties \$ ~~((56,000,000))~~
46,870,000

Total Appropriation \$ ~~((507,858,000))~~
487,513,000

Sec. 28. Section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation \$ ~~((897,000))~~
870,000

Sec. 29. Section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation \$ ~~((556,000))~~
539,000

The appropriation in this section is subject to the following condition((s and)) or limitation((s)): ((+)) The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

~~((2) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.))~~

Sec. 30. Section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation \$ ~~((64,000))~~
62,000

Sec. 31. Section 40, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation \$ ~~((75,823,000))~~
72,032,000

~~((FTE Staff Years—Fiscal Year 1982 1,355.6~~

~~FTE Staff Years—Fiscal Year 1983 1,354.9))~~

Sec. 32. Section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation \$ ~~((966,000))~~
937,000

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 33. Section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State \$ ~~((1,005,000))~~
975,000

General Fund Appropriation—Federal \$ 2,227,000

Total Appropriation \$ ~~((3,232,000))~~
3,202,000

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 34. Section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State \$ ~~((6,330,000))~~
6,140,000

General Fund Appropriation—Federal \$ 1,764,000

Total Appropriation \$ ~~((8,094,000))~~
7,904,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 35. Section 46, chapter 340, Laws of 1981 as amended by section 40, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation \$ ~~((1,173,000))~~
1,138,000

NEW SECTION. Sec. 36. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The department of corrections may modify allotments to include transfers between the programs established within the department. The modifications shall not be made without prior approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives.

Sec. 37. Section 48, chapter 340, Laws of 1981 as amended by section 42, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation \$ 43,419,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,479,000 is provided solely for intensive parole.

(c) \$21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center(;
and));

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ((+18,044,000))

14,344,000

General Fund—Institutional Impact Account Appropriation \$ 525,000

Total Appropriation \$ 18,569,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$((+102,000)) 2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$((+657,000)) 1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 38. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State \$ ((+9,010,000))

General Fund Appropriation—Federal	\$	<u>12,235,000</u>
Total Appropriation	\$	57,000
		((19,067,000))
		<u>12,292,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	35,443,000
General Fund Appropriation—Federal	\$	682,000
Total Appropriation	\$	36,125,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	1,889,000
Sec. 39, Section 50, chapter 340, Laws of 1981 as amended by section 44, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:		

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((53,186,000))
		52,911,000
General Fund Appropriation—Federal	\$	((14,821,000))
		14,759,000
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	((68,929,000))
		68,592,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$~~((49,212,000))~~ 48,864,000 of which \$~~((34,815,000))~~ 34,547,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) \$~~((19,717,000))~~ 19,644,000 of which \$~~((18,371,000))~~ 18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-

hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	77,511,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	82,596,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 40. Section 51, chapter 340, Laws of 1981 as amended by section 45, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((47,179,000))
		32,074,000
General Fund Appropriation—Federal	\$	((9,434,000))
		8,420,000
Total Appropriation	\$	((56,613,000))
		40,494,000

The appropriations in this subsection are subject to the following condition (~~and~~) or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982: PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,028,000))
		83,328,000
General Fund Appropriation—Federal	\$	((49,036,000))
		49,016,000
Total Appropriation	\$	((133,064,000))
		132,344,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further

include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) (~~(\$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. \$4,529,000 is provided solely for the School for the Blind, of which \$2,256,000 is for fiscal year 1982 and \$2,273,000 is for fiscal year 1983.~~

(c)) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;

(ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;

(iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;

(iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;

(v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;

(vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and

(vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 41. Section 52, chapter 340, Laws of 1981 as amended by section 46, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((169,475,000))
		<u>167,275,000</u>
General Fund Appropriation—Federal	\$	((169,527,000))
		<u>167,327,000</u>
Total Appropriation	\$	((339,002,000))
		<u>334,602,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 42. Section 53, chapter 340, Laws of 1981 as amended by section 47, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((308,220,000))
		<u>301,198,000</u>
General Fund Appropriation—Federal	\$	((319,215,000))
		<u>312,194,000</u>
Total Appropriation	\$	((627,435,000))
		<u>613,392,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

- (5) It is the assumption of the legislature that the appropriations in this section initially provide:
- (a) \$44,220,000 from federal funds for energy assistance;
 - (b) \$61,220,000 from federal funds for Indochinese refugees;
 - (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
 - (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
 - (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
 - (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
 - (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
 - (h) \$2,116,000 from the state general fund for burial assistance;
 - (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
 - (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 43. Section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$ ((135,974,000))
	117,861,000
General Fund Appropriation—Federal	\$ ((61,049,000))
	84,478,000
General Fund Appropriation—Local	\$ 105,000
Total Appropriation	\$ ((197,128,000))
	202,444,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$((45,868,000))~~ 41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW ~~((74-08-540))~~ 74.08.541, and for the support of programs utilizing volunteers to provide chore services. ~~((Of that amount, \$28,568,000 is provided for))~~ Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. (((\$12,800,000 is provided for)) Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. ~~(((\$1,698,000 is provided solely for the provision of))~~ Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

~~((3))~~ (2) ~~\$((1,226,000))~~ 1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

~~((4))~~ (3) ~~\$((14,330,000))~~ 13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

~~((5))~~ (4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

~~((6))~~ (5) ~~\$((1,335,000))~~ 833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

~~((7))~~ (6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

~~((8))~~ (7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) \$28,212,000, of which \$26,222,000 is from federal funds, is provided for economic opportunity services previously provided by the planning and community affairs agency.

(9) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

- (b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;
- (c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;
- (d) \$2,500,000 from federal funds for Indochinese refugees;
- (e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;
- (f) \$14,960,000 from the state general fund for the senior citizens services act;
- (g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;
- (h) \$28,887,000 from the state general fund for congregate care facilities;
- (i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;
- (j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;
- (k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;
- (l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;
- (m) \$1,148,000 from the state general fund for victims of domestic violence;
- (n) \$831,000 (including \$150,000 from the state general fund) for adult day care;
- (o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;
- (p) \$1,200,000 from the state general fund for adult family homes; and
- (q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 44. Section 55, chapter 340, Laws of 1981 as amended by section 49, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	(246,389,000)
		253,219,000
General Fund Appropriation—Federal	\$	(212,923,000)
		212,081,000
Total Appropriation	\$	(459,312,000)
		465,300,000

The appropriations in this section are subject to the following conditions or limitations:

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

Sec. 45. Section 57, chapter 340, Laws of 1981 as amended by section 51, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	(16,154,000)
		11,508,000
General Fund Appropriation—Federal	\$	(27,468,000)
		29,722,000
Total Appropriation	\$	(43,622,000)
		41,230,000

The appropriations in this section are subject to the following condition or limitation: \$7,348,000, of which \$2,094,000 is from state funds, is provided solely for services to the blind.

Sec. 46. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	(102,651,000)
		90,661,000
General Fund Appropriation—Federal	\$	(127,224,000)
		114,634,000
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	(229,923,000)
		205,343,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 47. Section 61, chapter 340, Laws of 1981 as amended by section 54, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,727,000))
		<u>14,285,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((17,223,000))
		<u>16,781,000</u>

NEW SECTION. Sec. 48. THE PLANNING AND COMMUNITY AFFAIRS AGENCY. Section 62, chapter 340, Laws of 1981, section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 49. Section 63, chapter 340, Laws of 1981 as amended by section 56, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State	\$	((2,488,000))
		<u>2,413,000</u>
General Fund Appropriation—Federal	\$	517,000
Total Appropriation	\$	((3,005,000))
		<u>2,930,000</u>

Sec. 50. Section 66, chapter 340, Laws of 1981 as amended by section 57, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((5,862,000))
		<u>7,684,000</u>
General Fund—Crime Victims' Compensation Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((87,899,000))
		<u>89,721,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) ~~\$((632,000))~~ 2,630,000 of the general fund—state appropriation is provided solely for victims of crime (~~(pension))~~ benefit payments.

Sec. 51. Section 67, chapter 340, Laws of 1981 as amended by section 58, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,198,000))
		<u>2,223,000</u>

Sec. 52. Section 68, chapter 340, Laws of 1981 as amended by section 59, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((489,000))
		<u>474,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account Appropriation	\$	915,000

Total Appropriation \$ ~~((1,532,000))~~
1,517,000

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 53. Section 69, chapter 340, Laws of 1981 as amended by section 60, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State \$ ~~((2,050,000))~~
1,988,000
General Fund Appropriation—Federal \$ 158,908,000
General Fund Appropriation—Local \$ 23,571,000
Administrative Contingency Fund Appropriation—Federal \$ 2,231,000
Unemployment Compensation Administration Fund Appropriation \$ 93,132,000
Total Appropriation \$ ~~((279,892,000))~~
279,830,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Jobs services employees and job services related activities are not subject to the reductions provided in this 1982 amendatory act.

NEW SECTION. Sec. 54. THE COMMISSION FOR THE BLIND. Section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is hereby repealed.

Sec. 55. Section 71, chapter 340, Laws of 1981 as amended by section 62, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation \$ ~~((350,000))~~
339,000
General Fund—Local Jail Improvement and Construction Account Appropriation \$ 511,000
Total Appropriation \$ ~~((861,000))~~
850,000

Sec. 56. Section 72, chapter 340, Laws of 1981 as amended by section 63, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State \$ ~~((1,105,000))~~
605,000
General Fund Appropriation—Federal \$ ~~((4,641,000))~~
2,400,000
Total Appropriation \$ ~~((5,746,000))~~
3,005,000

The appropriations in this section are subject to the following condition or limitation: The appropriations in this section are provided solely for fiscal year 1982.

Sec. 57. Section 73, chapter 340, Laws of 1981 as amended by section 64, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation \$ ~~((68,000))~~
66,000

Sec. 58. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State \$ ~~((26,093,000))~~
17,515,000
General Fund Appropriation—Federal \$ 14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation \$ 35,000

General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	((211,280,000))
		208,702,000
Total Appropriation	\$	((284,277,000))
		281,699,000
((FTE Staff Years—Fiscal Year 1982		509.5
FTE Staff Years—Fiscal Year 1983		512.1))

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 59. Section 75, chapter 340, Laws of 1981 as amended by section 66, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((591,000))
		573,000

Sec. 60. Section 76, chapter 340, Laws of 1981 as amended by section 67, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((25,019,000))
		24,268,000
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	((5,498,000))
		5,573,000
General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Appropriation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	((32,469,000))
		31,793,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 61. Section 78, chapter 340, Laws of 1981 as amended by section 68, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((309,000))
		299,000
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	((514,000))
		504,000

Sec. 62. Section 80, chapter 340, Laws of 1981 as amended by section 69, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,190,000))
		8,140,000
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,976,000))
		8,926,000

The appropriations in this section are subject to the following condition or limitation: \$52,000 of the state general fund appropriation shall be allocated to the Pacific Science Center for the purpose of planning and promoting the Ancient Chinese Science and Technology Exhibit at the science center.

Sec. 63. Section 81, chapter 340, Laws of 1981 as amended by section 70, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((34,672,000))
		<u>33,632,000</u>
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account Appropriation	\$	27,000
Total Appropriation	\$	((42,349,000))
		<u>41,309,000</u>

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 64. Section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((21,418,000))
		<u>20,775,000</u>
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	1,711,000
General Fund—Forest Development Account Appropriation	\$	16,669,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire Suppression Account		
Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account Appropriation	\$	49,977,000
Total Appropriation	\$	((93,421,000))
		<u>92,778,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) ~~((1,997,000 shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Nascle, and Mission Creek Honor Camps:~~

~~(3))~~ Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

~~((4) A maximum of \$1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program:~~

~~(5))~~ (3) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

~~((6))~~ (4) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 65. Section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((8,475,000))
		<u>8,221,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Appropriation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,433,000))
		<u>28,179,000</u>

The appropriations in this section are subject to the following condition ~~((and))~~ or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 66. Section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,412,000))
		<u>9,130,000</u>
General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000

General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,496,000))
		<u>74,214,000</u>

Sec. 67. Section 5, chapter 289, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of ((fifty)) forty-two thousand dollars, to carry out the purposes of this act.

Sec. 68. Section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)		
General Fund Appropriation—State	\$	((12,314,000))
		<u>11,945,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,755,000))
		<u>18,386,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 69. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983		
General Fund Appropriation	\$	((2,583,966,000))
		<u>2,584,868,000</u>
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000))
		<u>2,588,868,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 2 (revised): PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior ((to November, 1981:)) to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this 1981 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 (and 1982-83) school year(s) to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment

at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

Sec. 70. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) 'LEAP Document 2' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on ~~((April 26, 1981, at 2:02 p.m.))~~ March 21, 1982, at p.m.

(2) 'LEAP Document 2 (revised)' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 21, 1982, at p.m.

(3) 'State-supported staff' means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

~~((3))~~ (4) 'Incremental fringe benefits' means 7% for certificated staff and 14% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 71. Section 90, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) Total certificated compensation entitlement for school year 1981-82 for a particular school district shall be the sum of the following:

(a) Maintenance of compensation, calculated using that district's 1980-81 derived base salary established by LEAP Document 2 multiplied by the number of basic education certificated staff units determined pursuant to section 87 of this act multiplied by that district's particular 1981-82 average staff mix factor improved by 7.41%;

(b) The 1981-82 certificated staff salary increase for that district as specified in LEAP Document 2;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The 1981-82 insurance benefit increases provided in section 92 of this act per certificated staff unit determined pursuant to section 87 of this act.

(2) Total certificated compensation entitlement for school year 1982-83 for a particular school district shall be equal to the sum of the following:

(a) Maintenance of compensation shall be calculated by using that district's 1980-81 derived base salary established by LEAP Document 2 improved by the percentage salary increase specified in LEAP Document 2 for 1981-82 multiplied by the number of basic education staff units determined pursuant to section 87 of this act multiplied by that district's particular ~~((1982-83))~~ 1981-82 average staff mix factor improved by 7.43%;

(b) The 1982-83 certificated staff salary increase for that district as specified in LEAP Document 2;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The insurance benefit increases per full time equivalent certificated staff unit determined pursuant to section 87 of this act at rates specified in section 92 of this act for the 1981-82 school year and the 1982-83 school year.

Sec. 72. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((152,352,000))~~ 107,763,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

~~((3))~~ ~~((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.~~

~~((4))~~ A maximum of ~~\$((83,742,000))~~ 54,998,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this

section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ((f)) (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document 2 (revised).

((f)) (4) A maximum of \$((18,910,000)) 12,203,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ((f)) (7)(b) of this section, shall not exceed the percentages specified in LEAP Document 2 (revised).

((f)) (5) A maximum of \$((34,430,000)) 30,046,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$((16)) 9 per month in 1982-83.

((f)) (6) A maximum of \$((15,270,000)) 10,516,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and ((7.35% in 1982-83, effective January 1, 1983, and)) insurance benefit increases at the same rate as provided in subsection ((f)) (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

((f)) (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document 2 (revised) for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document 2 (revised): PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document 2 (revised).

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document 2 (revised): PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document 2 (revised).

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

((f)) (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ((σ)), 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((f)) The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983;~~ (9) The 1982-83 salary increase for the school districts eligible for an increase pursuant to LEAP Document 2 shall take effect on March 1, 1983.

Sec. 73. Section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES
General Fund Appropriation \$ ((41,168,000))
41,323,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of 9,561 full time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of 9,905 full time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

Sec. 74. Section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,986,000))
		<u>3,946,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,359,000))
		<u>7,319,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$ ((505,000))	\$562,000
	<u>501,000</u>	
E.S.D. No. 105	\$ ((484,000))	\$269,000
	<u>479,000</u>	
E.S.D. No. 112	\$ ((407,000))	\$453,000
	<u>403,000</u>	
E.S.D. No. 113	\$ ((434,000))	\$483,000
	<u>430,000</u>	
E.S.D. No. 114	\$ ((374,000))	\$208,000
	<u>370,000</u>	
E.S.D. No. 121	\$ ((356,000))	\$396,000
	<u>352,000</u>	
E.S.D. No. 123	\$ ((472,000))	\$262,000
	<u>467,000</u>	
E.S.D. No. 171	\$ ((577,000))	\$321,000
	<u>571,000</u>	
E.S.D. No. 189	\$ ((377,000))	\$419,000
	<u>373,000</u>	
Total	\$ ((3,986,000))	\$3,373,000
	<u>3,946,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 75. Section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State	\$	((109,160,000))
		<u>108,557,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981–82 fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980–81 school year using the following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$~~((60,289,000))~~ 59,076,000 may be expended for the 1982–83 fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's recognized basic education average certificated salary to the state-wide average recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981–82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

Sec. 76. Section 101, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((15,438,000))
		<u>15,361,000</u>
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	((20,998,000))
		<u>20,921,000</u>

Sec. 77. Section 105, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((1,000,000))
		<u>990,000</u>

Sec. 78. Section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((378,408,000))
		<u>366,178,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((378,679,000))
		<u>366,449,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) A maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) Enrollments generated by courses for which fee reductions are granted under RCW 28B.15.502(4) shall be discounted by a percentage equal to the percentage reduction in operating fees resulting from those fee reductions.

Sec. 79. Section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((280,102,000))
		<u>278,619,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropriation	\$	((55,355,000))
		<u>48,304,000</u>
Total Appropriation	\$	((337,511,000))
		<u>328,977,000</u>

The appropriations in this section are subject to the following conditions ((or)) and limitations:

(1) \$1,600,000 is provided solely for family medicine education.

(2) A maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 80. Section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((172,032,000))
		<u>167,974,000</u>
Washington State University Building Account Appropriation	\$	18,200,000
Total Appropriation	\$	((191,032,000))
		<u>186,174,000</u>

The appropriations in this section are subject to the following conditions ((or)) and limitations:

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) A maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 81. Section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((54,417,000))
		52,859,000
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((56,483,000))
		54,925,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 82. Section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((48,852,000))
		47,435,000
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((50,518,000))
		49,101,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 83. Section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((25,247,000))
		24,549,000

The appropriation in this section is subject to the following condition or limitation: A maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 84. Section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((58,362,000))
		56,669,000
Western Washington University Capital Projects Account Appropriation	\$	3,102,000
Total Appropriation	\$	((61,464,000))
		59,771,000

The appropriations in this section are subject to the following condition or limitation: A maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

NEW SECTION. Sec. 85. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The appropriations in sections 80 through 86 of this 1982 act are subject to the following condition or limitation: To the maximum extent feasible, new instructional staffing will be in nontenure-track appointments.

Sec. 86. Section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((20,478,000))
		20,428,000
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((24,162,000))
		24,112,000

The appropriations in this section are subject to the following condition **(and)** or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 87. Section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((128,000))
		124,000
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((136,000))
		132,000

Sec. 88. Section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State.....	\$	((1,734,000))
		<u>1,682,000</u>
General Fund Appropriation—Federal.....	\$	27,157,000
Total Appropriation.....	\$	((28,891,000))
		<u>28,839,000</u>

The appropriations in this section are subject to the following condition ((and) or) limitation: No state funds may be used by the advisory council for vocational education.

Sec. 89. Section 119, chapter 340, Laws of 1981 as amended by section 93, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION PERSONNEL BOARD

General Fund Appropriation.....	\$	((135,000))
		<u>280,000</u>
Higher Education Personnel Board Service Fund Appropriation.....	\$	1,214,000
Total Appropriation.....	\$	((1,349,000))
		<u>1,494,000</u>

The appropriations in this section are subject to the following condition or limitation: ((~~\$135,000 and 10.0 FTE staff years are provided for developing a classification plan for the common school classified employees. The plan shall be completed no later than June 30, 1982, for use in the 1982-83 school year.~~) \$280,000 is provided solely for the purposes of the development of a common school classified employees classification plan.

Sec. 90. Section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State.....	\$	((6,466,000))
		<u>6,426,000</u>
General Fund Appropriation—Federal.....	\$	2,147,000
General Fund Appropriation—Private/Local.....	\$	168,000
Washington Library Network Computer System Revolving Fund Appropria- tion—Private/Local.....	\$	5,417,000
Total Appropriation.....	\$	((14,198,000))
		<u>14,158,000</u>

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is necessary to maintain current service levels and expand the radio reading service to Spokane, shall be expended for the library for the blind and physically handicapped.

Sec. 91. Section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State.....	\$	((1,228,286))
		<u>1,191,000</u>
General Fund Appropriation—Federal.....	\$	893,000
Total Appropriation.....	\$	((2,121,286))
		<u>2,084,000</u>

The appropriations in this section are subject to the following condition or limitation: ~~\$(679,000)~~ 659,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 92. Section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$	((541,000))
		<u>525,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 93. Section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$	((454,000))
		<u>440,000</u>

Sec. 94. Section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((399,000))
		<u>387,000</u>
General Fund—State Capitol Historical Association Museum Account		
Appropriation	\$	53,000
Total Appropriation	\$	((452,000))
		<u>440,000</u>

Sec. 95. Section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000	\$	1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969	\$	40,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1981, through June 30, 1983	\$	3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981–1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$	697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$	17,794,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$((856,000)) <u>1,028,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$	((856,000))
		<u>1,028,000</u>

NEW SECTION. Sec. 96. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

(1) Joe A. Allemandi, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	3,000.00
(2) Hallie Fletcher, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,455.80
(3) Mabel G. Dillon, Reimbursement for amount paid to state, plus interest, for purchase of tidelands which she already owned: PROVIDED, That payment shall be made from the resource management cost account in the General Fund	\$	2,660.37
(4) Tjarnberg Brothers Orchard, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund	\$	2,361.00
(5) Living Services, Inc., Payment of Stipulated Judgment No. 79–2–1433–5	\$	73,641.00
(6) William Folden, Payment of Stipulated Judgment No. 79–2–1433–5	\$	47,374.00
(7) Insey, Best, Chapin, Uhlman & Doezie, P.S., Payment of Stipulated Judgment No. 79–2–1433–5	\$	140.00
(8) Allinson, Inc., Payment of Stipulated Judgment No. 79–2–00445–3: PROVIDED, That payment shall be made from the Motor Vehicle Fund, as is available under RCW 46.16.061	\$	9,239.95
(9) Spokane Community College, Reimbursement for payment of Stipulated Judgment No. 81200361–8	\$	100,000.00

NEW SECTION. Sec. 97. There is added to chapter 340, Laws of 1981, a new section to read as follows:

The legislature directs the governor to implement measures improving productivity, including but not limited to shorter office hours, fewer work days, and leave without pay. To this end, the governor shall reduce the allotments of moneys appropriated to the agencies for which the governor has allotment revision authority so that the aggregate of the allotments is ten million dollars less than the aggregate of the appropriations for those agencies. The allotment reductions shall be distributed among the agencies in a manner which in the governor's judgment will enhance productivity. The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. The allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW. The legislature directs other elected state officials to implement similar productivity increases wherever feasible.

Sec. 98. Section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred (~~(eight)~~) five thousand dollars, or so much thereof as may be necessary.

Sec. 99. Section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of (~~(one million three hundred fifty)~~) thirty-nine thousand dollars (~~(-or so much thereof as may be necessary);~~) to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition (~~(-PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility)~~).

Sec. 100. Section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$(~~(372,565)~~) 365,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 101. Section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of (~~(six hundred sixteen)~~) five hundred ninety-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION, Sec. 102. There is appropriated from the state general fund to the Washington state winter recreation commission for the biennium ending June 30, 1983, the sum of twenty-eight thousand dollars. This appropriation is contingent on the enactment of Senate Bill No. 4841 during the 1982 first extraordinary session of the legislature.

Sec. 103. Section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$(~~(258,000)~~) 254,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 104. Section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$	((+2,062,761))
		<u>11,700,878</u>
Motor Vehicle Fund—State Patrol Highway Account Appropriation—		
State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((+02,463,576))
		<u>102,101,693</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 105. Section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—		
PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S		
General Fund—Aeronautics Account Appropriation—State	\$	8,722

General Fund Appropriation—State	\$	((59,200)) <u>57,424</u>
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropria- tion—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropria- tion—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,452,440)) <u>16,450,664</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 106. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((815,570)) <u>791,100</u>
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,352,479)) <u>22,328,009</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation ((and the legislative transportation committee)).

Sec. 107. Section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ((ninety)) eighty-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ((nine)) eight hundred ((fifty-five)) twenty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 108. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 109. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; amending section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 22, chapter

2nd ex. sess. (uncodified); amending section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 119, chapter 340, Laws of 1981 as amended by section 93, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 317, Laws of 1981 (uncodified); amending section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); repealing section 62, chapter 340, Laws of 1981, section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); repealing section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding new sections to chapter 340, Laws of 1981; creating new sections; and declaring an emergency."

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Becker, Thompson, Warnke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:30 a.m., Monday, March 22, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

ELEVENTH DAY**MORNING SESSION**

House Chamber, Olympia, Wash., Monday, March 22, 1982.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Padden who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jami Rotter and Kevin Graham. Prayer was offered by The Reverend Timothy Dolan, Westminster Presbyterian Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

INTRODUCTIONS AND FIRST READING

SECOND SUBSTITUTE SENATE BILL NO. 3775, by Committee on Judiciary (originally sponsored by Senators Talmadge, Clarke and Moore – by Department of Licensing request):

Regulating real estate time-sharing.

To Committee on Ethics, Law and Justice

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 137, by Committee on Social and Health Services (originally sponsored by Senators Deccio, Bottiger, Jones and Shinpoch):

Establishing a joint select committee on mandated health care benefits.

To Committee on Rules

SENATE CONCURRENT RESOLUTION NO. 138, by Senators Goltz, Jones and Quigg:

Establishing a Joint Select Committee on Expo '86.

To Committee on Rules

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143, by Senators Guess, Bluechel and Charnley:

Establishing a joint select committee to study the management options and potential uses of the Milwaukee Road.

To Committee on Rules

MOTION

On motion of Mr. Hastings, the bill and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

MESSAGE FROM THE SENATE

March 22, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 765,
SUBSTITUTE HOUSE BILL NO. 840,
HOUSE BILL NO. 854,

HOUSE CONCURRENT RESOLUTION NO. 37,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 923.

MOTIONS

On motion of Mr. Nelson (G), the Rules Committee was relieved of the following bills and they were placed at the top of the third reading calendar: ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226 and SECOND SUBSTITUTE HOUSE BILL NO. 124.

On motion of Mr. Nelson (G), the Rules Committee was relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 and it was placed at the top of today's second reading calendar.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226, by Committee on Appropriations - General Government (originally sponsored by Representatives Isaacson, Bond, Sprague, Tilly, Fancher, Dickie, Mitchell, Barrett, Chandler and Barr):

Modifying provisions relating to public employment.

The bill was read the third time and placed on final passage.

Mr. Williams spoke in favor of passage of the bill, and Mr. Kreidler spoke against it.

Mr. Nelson (G) demanded an electric roll call vote and the demand was sustained.

Representatives Garson, Hine and Owen spoke against passage of the bill, and Mr. Lewis spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1226, and the bill passed the House by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Engrossed Substitute House Bill No. 1226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Nelson (G), Engrossed Substitute House Bill No. 1226 was ordered immediately transmitted to the Senate.

SECOND SUBSTITUTE HOUSE BILL NO. 124, by Committee on Appropriations - General Government (originally sponsored by Representatives Winsley, Addison, Wang, King, J., Johnson, Granlund, McGinnis and Eberle):

Modifying provisions relating to public employment.

The bill was read the third time and placed on final passage.

Representatives Williams, Garson, Kreidler and Nisbet spoke in favor of passage of the bill, and Representatives Thompson and Kaiser spoke against it.

Mr. Nelson (G) demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Becker and Thompson.

On motion of Mr. Nelson (G), the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be Second Substitute House Bill No. 124 on final passage.

Mr. Lux spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 124, and the bill passed the House by the following vote: Yeas, 77; nays, 19; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Cole, Dickie, Gallagher, Galloway, Granlund, Kaiser, King J., Lux, Maxie, Monohon, Nelson D., North, Rinehart, Rust, Sanders, Valle, Walk, Warnke.

Not voting: Representatives Becker, Thompson.

Second Substitute House Bill No. 124, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Nelson (G), Second Substitute House Bill No. 124 was ordered immediately transmitted to the Senate.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

Representatives Becker and Thompson appeared at the bar of the House.

SECOND READING

Mr. Nelson (G) moved that the House resolve itself into Committee of the Whole for the purpose of consideration of Engrossed Substitute Senate Bill No. 4369.

Mr. Ehlers spoke against the motion.

The motion was carried.

On motion of Mr. Nelson (G), the House dispensed with further business under the Call of the House.

COMMITTEE OF THE WHOLE

The Speaker called on Mr. Amen to preside.

MOTION

On motion of Mr. Nelson (G), the Committee of the Whole rose and the House adjourned until 10:00 a.m., Tuesday, March 23, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 23, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tammi Haley and Jeff Long. Prayer was offered by The Reverend Timothy Dolan, Westminster Presbyterian Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

March 22, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 22, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 357: Relating to preservation and destruction of public records.;

HOUSE BILL NO. 401: Relating to educational service districts;

HOUSE BILL NO. 442: Relating to discipline of engineers;

SUBSTITUTE HOUSE BILL NO. 462: Relating to school property;

SUBSTITUTE HOUSE BILL NO. 571: Relating to alcoholic beverages;

HOUSE BILL NO. 572: Relating to voting machines;

SECOND SUBSTITUTE HOUSE BILL NO. 658: Relating to energy conservation;

SUBSTITUTE HOUSE BILL NO. 810: Relating to state government;

HOUSE BILL NO. 832: Relating to irrigation districts;

SUBSTITUTE HOUSE BILL NO. 920: Relating to occupational information;

HOUSE BILL NO. 947: Relating to cattle assessments;

SUBSTITUTE HOUSE BILL NO. 965: Relating to corrections;

HOUSE BILL NO. 1013: Relating to the establishment of a small business innovators' opportunity program;

HOUSE BILL NO. 1036: Relating to the board for community college education;

SUBSTITUTE HOUSE BILL NO. 1041: Relating to agricultural cooperative associations;

SUBSTITUTE HOUSE BILL NO. 1047: Relating to health care.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

March 22, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 923,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 22, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3033,

ENGROSSED SENATE BILL NO. 3310,

ENGROSSED SENATE BILL NO. 4616,

ENGROSSED 2ND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 22, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 145,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, by Committee on Ways and Means (originally sponsored by Senator Scott):

Modifying appropriations for the 1981-1983 fiscal biennium.

On motion of Mr. Nelson (G), the House resolved itself into Committee of the Whole.

COMMITTEE OF THE WHOLE

Engrossed Substitute Senate Bill No. 4369 was considered in the Committee of the Whole, Representative Amen presiding, and reported back to the House with the recommendation that the House Committee on Ways and Means amendment be amended as follows, and that the committee amendment as amended be adopted. (For committee amendments, see Journal, 10th Day, March 21, 1982.):

On page 1, lines 14 and 26 and page 2, line 10 strike "solely for the purchase of consulting services"

On page 5, line 6 strike "3,299,000" and insert "3,099,000"

On page 5, line 7 strike the entire line.

On page 5, line 8 strike "5,499,000" and insert "3,099,000"

On page 5, beginning on line 30 strike subsection (5) in its entirety.

On page 17, line 34 strike "6,973,000" and insert "7,043,000"

On page 17, after line 34 insert the following:

"The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter ..., Laws of 1982 1st ex. sess. (Engrossed Substitute Senate Bill No. 4201)."

On page 29, line 20 after "group homes" insert ": PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services"

On page 29, line 23 after "costs" insert "and the Title XIX waiver"

On page 43, line 17 strike "605,000" and insert "1,005,000"

On page 43, line 19 strike "2,400,000" and insert "4,641,000"

On page 43, line 21 strike "3,005,000" and "5,646,000"

On page 43, beginning on line 22 strike everything down through line 24.

On page 49, beginning on line 24 strike all the material down to and including "center." on line 28

On page 53, beginning on line 31 strike all material down to and including line 6 on page 64 and insert:

"Sec. 69. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981

2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,583,966,000))
		2,584,868,000
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000))
		2,588,868,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 5: PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district

violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior ~~((to November 1, 1981;))~~ to the effective date of this 1982 act, for the 1982-83 school year that conflicts with provisions of this 1981 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A-.41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 (~~and 1982-83~~) school year(s) to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

Sec. 70. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) 'LEAP Document ((2)) 4' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on ((April 20, 1981, at 2:02 p.m.)) March 21, 1982, at 5:39 p.m.

(2) 'LEAP Document 5' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 21, 1982, at 6:10 p.m.

(3) 'State-supported staff' means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

((3)) (4) 'Incremental fringe benefits' means 7% for certificated staff and 14% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 71. Section 89, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

(1) For purposes of determining the 1981-82 and 1982-83 staff mix factor by district for basic education allocation purposes, the following definitions apply:

(a) Basic education certificated staff includes all full time equivalent certificated staff in the following programs:

- (i) Basic education (program 00);
- (ii) Secondary vocational education (program 30);
- (iii) General instructional support (program 94);
- (iv) General support (program 97).

(b) The 1980-81 derived base salary used for basic education allocation purposes shall be that which is specified for each district in LEAP Document ((2)) 4.

(c) The staff mix factor table developed by the legislative evaluation and accountability program committee (LEAP) (reference LEAP Document 1) in use for school years 1979-80 and 1980-81 shall be employed to calculate each district's base salary and staff mix for basic education certificated staff for 1981-82 and 1982-83.

(2) The 1980-81 basic education average classified salary for allocation purposes shall be that specified for each district in LEAP Document ((2)) 4 and shall be for all full time equivalent classified staff in the following programs:

- (a) Basic education (program 00);
- (b) Secondary vocational education (program 30);
- (c) General instructional support (program 94);
- (d) General support (program 97).

Sec. 72. Section 90, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CERTIFICATED STAFF COMPENSATION

(1) Total certificated compensation entitlement for school year 1981-82 for a particular school district shall be the sum of the following:

(a) Maintenance of compensation, calculated using that district's 1980-81 derived base salary established by LEAP Document ((2)) 4 multiplied by the number of basic education certificated staff units determined pursuant to section 87 of this act multiplied by that district's particular 1981-82 average staff mix factor improved by 7.41%;

(b) The 1981-82 certificated staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The 1981-82 insurance benefit increases provided in section 92 of this act per certificated staff unit determined pursuant to section 87 of this act.

(2) Total certificated compensation entitlement for school year 1982-83 for a particular school district shall be equal to the sum of the following:

(a) Maintenance of compensation shall be calculated by using that district's 1980-81 derived base salary established by LEAP Document ((2)) 4 improved by the percentage salary increase specified in LEAP Document ((2)) 4 for 1981-82 multiplied by the number of basic education staff units determined pursuant to section 87 of this act multiplied by that district's particular 1982-83 average staff mix factor improved by 7.43%;

(b) The 1982-83 certificated staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per certificated full time equivalent staff units determined pursuant to section 87 of this act;

(d) The insurance benefit increases per full time equivalent certificated staff unit determined pursuant to section 87 of this act at rates specified in section 92 of this act for the 1981-82 school year and the 1982-83 school year.

Sec. 73. Section 91, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

BASIC EDUCATION ALLOCATION—CALCULATION OF CLASSIFIED STAFF COMPENSATION

(1) Total 1981-82 basic education classified compensation entitlement for a particular school district shall be the sum of the following:

(a) Maintenance of classified compensation for a particular school district shall be equal to the classified staff units determined pursuant to section 87 of this act multiplied by the 1980-81 average classified salary established by LEAP Document ((2)) 4 for that district improved by 16.55%;

(b) The 1981-82 classified staff salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per classified full time equivalent staff units determined pursuant to section 87 of this act;

(d) The 1981-82 insurance benefit increases specified in section 92 of this act per full time equivalent classified staff unit determined pursuant to section 87 of this act.

(2) Total 1982-83 basic education classified compensation entitlement for a particular school district shall be the sum of the following:

(a) Maintenance of classified compensation for a particular school district shall be equal to the classified staff units determined pursuant to section 87 of this act multiplied by the 1980-81 average classified salary established in LEAP Document ((2)) 4 for that district improved by the 1981-82 percentage salary increase specified in LEAP Document ((2)) 4 for that district improved by 16.55%;

(b) The 1982-83 classified salary increase for that district as specified in LEAP Document ((2)) 4;

(c) Maintenance of insurance benefits at the rate of \$95 per month per classified full time equivalent staff units determined pursuant to section 87 of this act;

(d) The insurance benefit increases per full time equivalent classified staff unit determined pursuant to section 87 of this act at rates specified in section 92 of this act for the 1981-82 school year and the 1982-83 school year.

Sec. 74. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ((+52,352,000))
107,763,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

(3) ((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW 28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.

~~((4))~~ A maximum of \$~~((83,742,000))~~ 54,998,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 4 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ((#)) (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document ((2)) 5.

~~((5))~~ (4) A maximum of \$~~((18,910,000))~~ 12,203,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 4 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ((#)) (b) (7) of this section, shall not exceed the percentages specified in LEAP Document ((2)) 5.

~~((6))~~ (5) A maximum of \$~~((34,430,000))~~ 30,046,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$~~((16))~~ 9 per month in 1982-83.

~~((7))~~ (6) A maximum of \$~~((15,270,000))~~ 10,516,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and ~~((7.35% in 1982-83, effective January 1, 1983, and))~~ insurance benefit increases at the same rate as provided in subsection ~~((#))~~ (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

~~((#))~~ (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document ((2)) 5 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5; PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5; PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 5.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

~~((9))~~ (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ~~((or)),~~ 1981-82, or 1982-83 school years as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((10))~~ The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983. (9) The 1982-83 salary increase for the school districts eligible for an increase pursuant to LEAP Document 4 shall take effect on March 1, 1983.*

Renumber the sections consecutively.

On page 64, after line 6 add a new subsection to read as follows:

"(10) If ESHB 1226 is enacted and makes provision for a salary increase for common school employees, school districts are authorized to grant the increase as specified in ESHB 1226."

On page 68, beginning on line 33 strike subsection (5) and insert a new subsection as follows:

"(5)(a) Enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) 'Waived operating fees' means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) 'Total operating fees' means the operating fees which would have been paid for an enrollment if no waiver had been granted."

On page 78, after line 33 insert a new section as follows:

"NEW SECTION, Sec. 98. If House Bill No. 124 is enacted during the 1982 first extraordinary session of the legislature, the office of financial management shall place in allotment reserve and lapse at the end of the biennium those state general fund savings from the enactment of House Bill No. 124 that are in excess of the expenditure reductions contained in this act."

On page 80, line 15 strike all of section 102 and renumber the remaining sections consecutively.

On page 81, following line 29 insert the following:

"Insofar as is consistent with the laws of this state, the moneys appropriated in this section to the Puget Sound Ferry operations account may be expended for the purpose of purchasing health and medical benefits under a plan of the employees choice for ferry employees: PROVIDED, That such benefit contributions shall not exceed the contribution paid for other state workers: PROVIDED, That nothing herein shall prevent employee contributions to the health plan in excess of the state contribution"

On page 83, after line 4 insert:

"NEW SECTION, Sec. 108. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The legislature assumes that \$40,000,000 in savings in state general fund expenditures will result from the enactment of the following bills:

(1) Civil service reform (Engrossed Substitute House Bill No. 1226).

(2) Early retirement and limits on hiring of state employees (Second Substitute House Bill No. 124).

Each elected state official shall reduce allotments of agencies for which the official has allotment revision authority to reflect the savings actually realized as a result of the enactment of these bills. The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. Allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW."

On page 86, line 36 of the title amendment, after "(uncodified);" insert "amending section 89, chapter 340, Laws of 1981 (uncodified);"

On page 87, line 1 of the title amendment, after "(uncodified);" insert "amending section 91, chapter 340, Laws of 1981 (uncodified);"

The Committee amendment as amended by the Committee of the Whole was adopted.

The Speaker resumed the Chair

MOTIONS

On motion of Mr. Amen, the report of the Committee of the Whole was adopted.

Mr. Nelson (G) moved that the reading by the Committee of the Whole be considered second reading.

Mr. Heck demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the reading by the Committee of the Whole of Engrossed Substitute Senate Bill No. 4369 be considered second reading, and the motion was carried by the following vote: Yeas, 53; nays, 44; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hinc, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Van Dyken, Walk, Wang, Warnke.

Not voting: Representative Bender.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Chandler, Williams, Taylor, Hastings, Greengo, Berleen, Nisbet and Nelson (G) spoke in favor of passage of the bill, and Representatives Ehlers, Warnke, Sommers, O'Brien, Kreidler, Gallagher, Thompson, Stratton, Wang and Becker spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4369 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 47; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Van Dyken, Walk, Wang, Warnke, Winsley.

Engrossed Substitute Senate Bill No. 4369 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Nelson (G), Engrossed Substitute Senate Bill No. 4369 as amended by the House was ordered immediately transmitted to the Senate.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Wednesday, March 24, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

THIRTEENTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, March 24, 1982.

The House was called to order at 1:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Berleen, Brown, Fiske, Leonard and North, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andrea Campbell and Elcena Standish. Prayer was offered by The Reverend Timothy Dolan, Westminster Presbyterian Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

REPORTS OF STANDING COMMITTEES

March 22, 1982

HOUSE BILL NO. 755, Prime Sponsor: Representative Prince, deducting trade-in allowances from the selling price for sales tax purposes. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Addison, Bickham, Bond, Brown, Galloway, Hastings, Chandler, Chairman, Committee on Ways and Means.

MINORITY recommendation: Do not pass. Signed by Representatives Rinehart, Ranking Minority Member; Granlund, Rust.

Not attending: Representative Sanders.

Passed to Committee on Rules for second reading.

March 22, 1982

HOUSE BILL NO. 764, Prime Sponsor: Committee on Revenue, making provisions on property taxation. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Addison, Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust.

Not attending: Representative Sanders.

Passed to Committee on Rules for second reading.

March 22, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, Prime Sponsor: Committee on Ways and Means, authorizing the physical revaluation of property every six years if statistical adjustments are made. Reported by Committee on Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030 are each amended to read as follows:

Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. Section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected and valued at least once every ((four)) six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical

data. If the revaluation plan provides for physical inspection less frequently than once each four years, during the intervals between each physical inspection of real property, the valuation of such property shall be adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 3. Section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090 are each amended to read as follows:

The department of revenue shall by rule establish appropriate statistical methods for use by assessors in adjusting the valuation of property between physical inspections. The department of revenue shall make and publish such additional rules, regulations and guides which it determines are needed to supplement materials presently published by the department of revenue for the general guidance and assistance of county assessors. Each assessor is hereby directed and required to value property in accordance with the standards established by RCW 84.40.030 and in accordance with the applicable rules, regulations and valuation manuals published by the department of revenue.

Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to ~~((May 31st))~~ September 30th of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of ~~((the April 30th immediately preceding the date that the property is placed on the assessment rolls))~~ September 30th of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster, the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21.040 through 36.21.080 shall be completed by September 30th of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: PROVIDED, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "property;" strike the remainder of the title and insert "amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess.

and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; and declaring an emergency."

Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Rinehart, Ranking Minority Member; Bickham, Bond, Brown, Galloway, Granlund, Hastings, Rust, Chandler, Chairman, Committee on Ways and Means.

Voting nay: Representative Addison.

Not attending: Representative Sanders.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

March 24, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House insisted on its position with regard to Engrossed Substitute Senate Bill No. 4369, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Chandler, Nelson (G) and Sommers as conferees on Engrossed Substitute Senate Bill No. 4369.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 268 with the following amendments:

On page 6, beginning on line 8 strike all of section 4 and insert the following:

"Sec. 4. Section 13, chapter 136, Laws of 1979 ex. sess. as last amended by section 6, chapter 19, Laws of 1981 and by section 7, chapter 330, Laws of 1981 and RCW 46.63.110 are each reenacted and amended to read as follows:

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated traffic infractions.

(3) There shall be a penalty of twenty-five dollars for failure to respond to a notice of traffic infraction except where the infraction relates to overtime parking as defined by local law, ordinance, regulation, or resolution or failure to pay a monetary penalty imposed pursuant to this chapter. The monetary penalty for failure to respond to a notice of a traffic infraction relating to overtime parking as defined by local law, ordinance, regulation, or resolution shall be set by the local legislative body which originally enacted the local law, ordinance, regulation, or resolution creating the parking offense. The local court, whether a municipal, police, or district court may impose the monetary penalty set by the local legislative body. Such locally set monetary penalty is not subject to the assessments required by RCW 46.81.030 and 43.101.210 and related court rules.

(4) Monetary penalties provided for in chapter 46.70 RCW which are civil in nature and penalties which may be assessed for violations of chapter 46.44 RCW relating to size, weight, and load of motor vehicles are not subject to the limitation on the amount of monetary penalties which may be imposed pursuant to this chapter.

(5) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may, in its discretion, grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment the court shall notify the department of the failure to pay the penalty and the department may not renew the person's driver's license, or in the case of a standing, stopping, or parking violation the vehicle license, until the penalty has been paid and the penalty provided in subsection (3) of this section has been paid.

(6) There shall be levied and paid into the general fund of the state treasury, a five-dollar fee in addition to the monetary penalty imposed for a traffic infraction other than a parking, standing, stopping, or pedestrian infraction. The five-dollar fee shall not be suspended by the court."

On page 9, line 21 after "act" strike all material down through "institutions, and" on line 24

On page 9, line 24 strike "1981" and insert "1984"

On page 9, line 26 strike "1981" and insert "1984"

In line 6 of the title after "46.63.070;" insert "reenacting and"

In line 7 of the title after "as" strike everything through and including "1980" on line 8, and insert "last amended by section 6, chapter 19, Laws of 1981 and by section 7, chapter 330, Laws of 1981"

In line 11 of the title after "RCW;" strike declaring an emergency;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House concurred in the Senate amendments to Substitute House Bill No. 268.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 268 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 268 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 55; nays, 36; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Thompson, Tilly, Valle, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Bickham, Cantu, Clayton, Dickie, Eberle, Ehlers, Galloway, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King R., Lewis, Lundquist, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rinehart, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Teutsch, Tupper, Vander Stoep, Williams, Wilson.

Not voting: Representatives Berleen, Brown, Fiske, Leonard, Martinis, North, Warnke.

Substitute House Bill No. 268 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 600 with the following amendments:

Strike everything after the enacting clause and insert the following:

Section 1. "Section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025 are each amended to read as follows:

Any person who shall commit or attempt to commit any felony, including but not limited to assault in the first degree, rape in the first degree, burglary in the first degree, robbery in the first degree, riot, or any other felony which includes as an element of the crime the fact that the accused was armed with a firearm, or any misdemeanor or gross misdemeanor categorized herein as inherently dangerous, while armed with, or in the possession of any firearm, shall upon conviction, in addition to the penalty provided by statute for the crime committed without use or possession of a firearm, be imprisoned as herein provided:

(1) For the first offense the court shall impose a sentence of not less than five years, which sentence shall not be suspended or deferred;

(2) For a second offense, or if, in the case of a first conviction of violation of any provision of this section, the offender shall previously have been convicted of violation of the laws of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than seven and one-half years, which sentence shall not be suspended or deferred;

(3) For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than fifteen years, which sentence shall not be suspended or deferred;

(4) Misdemeanors or gross misdemeanors categorized as 'inherently dangerous' as the term is used in this statute means any of the following crimes or an attempt to commit any of the same: Simple assault,

coercion, vehicle prowling, escape in the third degree, obstructing a public servant, theft in the third degree, resisting arrest, and communication with a minor for immoral purposes.

(5) If any person shall resist apprehension or arrest by firing upon a law enforcement officer, such person shall in addition to the penalty provided by statute for resisting arrest, be guilty of a felony and punished by imprisonment for not less than ten years, which sentence shall not be suspended or deferred.

Sec. 2. Section 1, chapter 64, Laws of 1933 and RCW 9.41.190 are each amended to read as follows:

~~((That)) It ((shall be)) is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession((;)) or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: PROVIDED, HOWEVER, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington: PROVIDED FURTHER, That this section does not apply to a person, including an employee of such person, who or which is exempt from or licensed under the National Firearms Act (26 U.S.C. section 5801 et seq.), and engaged in the production, manufacture, or testing of weapons or equipment to be used or purchased by the armed forces of the United States, and having a United States government industrial security clearance.~~

Sec. 3. Section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050 are each amended to read as follows:

~~((No person shall carry a pistol in any vehicle unless it is unloaded or carry a pistol concealed on his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided)) (1) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.~~

~~(2) A person who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.~~

~~(3) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed weapon and: (a) The pistol is on the licensee's person, (b) the licensee is within the vehicle at all times that the pistol is there, or (c) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.~~

NEW SECTION, Sec. 4. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

(a) Any firearm; or

(b) Any dangerous weapon as defined in RCW 9.41.250; or

(c) Any device commonly known as 'nun-chu-ka sticks', consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or

(d) Any device, commonly known as 'throwing stars', which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

(a) Any student of a private military academy; or

(b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or

(c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or

(d) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

Sec. 5. Section 13, chapter 249, Laws of 1909 and RCW 9.92.010 are each amended to read as follows:

Every person convicted of a felony for which no punishment is specially prescribed by any statutory provision in force at the time of conviction and sentence, shall be punished by ~~((imprisonment in the state penitentiary for not more than))~~ confinement or fine which shall not exceed confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of not more than ((five)) twenty thousand dollars, or by both such confinement and fine.

Sec. 6. Section 15, chapter 249, Laws of 1909 and RCW 9.92.020 are each amended to read as follows:

Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than ((one)) five thousand dollars, or by both such imprisonment and fine.

Sec. 7. Section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030 are each amended to read as follows:

Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a minimum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than ((two hundred and fifty)) one thousand dollars or both such imprisonment and fine.

Sec. 8. Section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the

charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, ((and)) (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 9. Section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064 are each amended to read as follows:

In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, the court shall establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Prior to the entry of an order formally terminating a suspended sentence the court may modify the terms and conditions of the suspension or extend the period of the suspended sentence.

Sec. 10. Section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the ((board of)) county ((commissioners)) legislative authority of the county wherein the court is located.

Sec. 11. Section 6, chapter 227, Laws of 1957 and RCW 9.95.230 are each amended to read as follows:

The court shall have authority at any time ((during the course of)) prior to the entry of an order terminating probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

Sec. 12. Section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030 are each amended to read as follows:

(1) If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, the court, in lieu of imposing the fine authorized for the offense under RCW 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the

commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. It shall be the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms 'gain' or 'loss' refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

NEW SECTION. Sec. 13. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of vehicle prowling in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a motor home, as defined in RCW 46.04.305, or in a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the first degree is a class C felony.

Sec. 14. Section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the second degree is a gross misdemeanor.

Sec. 15. Section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars; or

(e) A firearm, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a class C felony.

Sec. 16. Section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090 are each amended to read as follows:

(1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or upon a person whom he has reason to believe may have information relevant to a criminal investigation, with intent to:

(a) Influence the testimony of that person; or

(b) Induce that person to avoid legal process summoning him to testify; or

(c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a class B felony.

Sec. 17. Section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100 are each amended to read as follows:

(1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding or that he may have information relevant to a criminal investigation is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

(a) His testimony will thereby be influenced; or

(b) He will attempt to avoid legal process summoning him to testify; or

(c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a class B felony.

Sec. 18. Section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110 are each amended to read as follows:

(1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or to a person whom he has reason to believe may have information relevant to a criminal investigation, he attempts to:

(a) Influence the testimony of that person; or

(b) Induce that person to elude legal process summoning him to testify; or

(c) Induce that person to absent himself from such proceedings.

(2) 'Threat' as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in RCW 9A.04.110(25).

(3) Intimidating a witness is a class B felony.

Sec. 19. Section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120 are each amended to read as follows:

(1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding or a person whom he has reason to believe may have information relevant to a criminal investigation to:

- (a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or
- (b) Absent himself from such proceedings.

(2) Tampering with a witness is a class C felony.

Sec. 20. Section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person 'renders criminal assistance' if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he:

- (1) Harbors or conceals such person; or
- (2) Warns such person of impending discovery or apprehension; or
- (3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or
- (4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or
- (5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or
- (6) Provides such person with a weapon.

Sec. 21. Section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any class A felony or equivalent juvenile offense.

(2) Rendering criminal assistance in the first degree is:

- (a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;
- (b) A class C felony in all other cases.

Sec. 22. Section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a class B or class C felony or an equivalent juvenile offense or to someone being sought for violation of parole, probation, or community supervision.

(2) Rendering criminal assistance in the second degree is:

- (a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;
- (b) A gross misdemeanor in all other cases.

Sec. 23. Section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110 are each amended to read as follows:

(1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony or an equivalent juvenile offense, he escapes from custody or a detention facility.

(2) Escape in the first degree is a class B felony.

Sec. 24. Section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120 are each amended to read as follows:

(1) A person is guilty of escape in the second degree if:

- (a) He escapes from a detention facility; or
 - (b) Having been charged with a felony or an equivalent juvenile offense, he escapes from custody.
- (2) Escape in the second degree is a class C felony.

Sec. 25. Section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024 are each amended to read as follows:

Any driver of a motor vehicle who wilfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton (~~and~~) or wilful disregard for the lives or property of others while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and his vehicle shall be appropriately marked showing it to be an official police vehicle.

Sec. 26. Section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program. A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a deferred prosecution program.

Sec. 27. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than ~~((one day))~~ twenty-four consecutive hours nor more than one year, and by a fine of not more than five hundred dollars. The person shall, in addition, be required to complete a course at an alcohol information school approved by the department of social and health services. ~~((One day))~~ If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) On a second or subsequent conviction ~~((under RCW 46.61.502 or 46.61.504))~~ for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine not more than one thousand dollars. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor: PROVIDED, That all funds derived from such penalty assessment shall be in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. Such penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from such penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of ~~((either of the offenses named in RCW 46.61.502 or 46.61.504))~~ driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either such offense, be suspended by the department for not less than thirty days: PROVIDED, That the court may recommend that no suspension action be taken. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

~~((7) The provisions of this section limiting the authority of a court to defer or suspend a sentence shall not take effect until January 1, 1980. The division of criminal justice, no later than December 31, 1980, shall submit a study to the house of representatives and to the senate which details the impact of the sentencing provisions established by this section. The impact study shall include, but shall not be limited to, the following information: The impact of the provisions upon county jail conditions and bed space, the cost impact of the provisions upon local and state governments, and the existence of alternative facilities to which individuals sentenced under this section may be committed:))~~

NEW SECTION. Sec. 28. Section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010 are each repealed."

In line 1 of the title, after "crimes;" strike the remainder of the title, and insert "amending section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025; adding a new section to chapter 9.41 RCW; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 13, chapter 249, Laws of 1909 and RCW 9.92.010; amending section 15, chapter 249, Laws of 1909 and RCW 9.92.020; amending section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 1, chapter 29, Laws of 1979 and RCW 9.92.060; amending section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; amending section 1, chapter 19, Laws of 1980 as amended by section 42, chapter 136, Laws of 1981 and RCW 9.95.210; amending section 6, chapter 227, Laws of 1957 and RCW 9.95.230; amending section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040; amending section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090; amending section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100; amending section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110; amending section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120; amending section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120; amending section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515; adding a new section to chapter 9A.52 RCW; repealing section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010; and prescribing penalties." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House refused to concur in the Senate amendments to House Bill No. 600, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 967 with the following amendment:

On page 1, line 27 after "projects," insert "For the purposes of subsection 6 of this section an inmate on minimum security status shall be one who is under confinement for a crime other than murder, robbery, rape, kidnaping, assault, or arson."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Houchen, the House refused to concur in the Senate amendment to House Bill No. 967, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1092 with the following amendments:

On page 8, line 1 after "general fund" strike all material down to and including "fund" on line 16

On page 8, following line 16 insert the following:

NEW SECTION. Sec. 6. There is hereby appropriated for the biennium ending June 30, 1983 from the general fund the sum of seventy thousand seven hundred dollars or so much thereof as is necessary to carry out the purposes of this act."

On page 1, line 14 of the title following "19.91.910;" strike "and" and following "penalties" insert "; and making an appropriation" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Struthers moved that the House do concur in the Senate amendments to House Bill No. 1092.

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Struthers, could you briefly describe what the Senate amendments do?"

Mr. Struthers: "Representative Ehlers, this increases the fee for a license to be a tobacco distributor at the wholesale level from \$350 to \$600. At the retail level, the license is increased from \$5 to \$10. It is agreed upon within the industry, and the purpose of raising the \$69,000 that this bill will raise is to go to the fund to hire two more auditors for the Department of Revenue to be sure that everybody is complying with the unfair cigarette sales act."

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. McDonald.

Mr. McDonald: "Representative Struthers, if I understand this right, if we do not adopt this, then they wouldn't be able to administer the act?"

Mr. Struthers: "No, the act would still be administered. We're not making any substantive law, all we're doing here is increasing the fee that goes into the general fund. This way we hope to hire two more auditors in order to keep them in compliance. Really what we're going to do is create more general fund revenue by keeping everybody in compliance."

Mr. McDonald: "But if they didn't have the money to administer it, then they really wouldn't have any ability to administer. Is that correct?"

Mr. Struthers: "Currently there isn't enough money, according to the Department of Revenue, to hire the auditors to administer the law. Our thinking is that if you have a law, enforce the law, so the tobacco industry has imposed this increase of fees upon themselves to be sure the law is administered."

Representatives McDonald, Ehlers, Barnes, Flanagan and Addison spoke against the motion to concur, and Representatives Greengo, Garrett, King (J) and Struthers spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to House Bill No. 1092, and the motion was carried by the following vote: Yeas, 52; nays, 38; not voting, 8.

Voting yea: Representatives Amen, Armstrong, Barrett, Becker, Bickham, Chandler, Ellis, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Fouchen, King J., Kreidler, Lewis, Lux, McCormick, McGinnis, Mitchell, Monohon, Nelson G. A., O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Scott, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Bender, Bond, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Flanagan, Isaacson, James, Johnson, Kaiser, King R., Lundquist, Maxie, McDonald, Nelson D., Nickell, Nisbet, Padden, Pruitt, Salatino, Sanders, Schmidt, Sherman, Smith, Taylor, Vander Stoep, Williams, Winsley.

Not voting: Representatives Berleen, Brown, Eng, Fiske, Leonard, Martinis, North, Warnke.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1092 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1092 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 37; not voting, 8.

Voting yea: Representatives Armstrong, Barrett, Becker, Bickham, Brekke, Burns, Chamberlain, Chandler, Ellis, Erak, Fancher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Johnson, King J., Kreidler, Lewis, Lux, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Scott, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Bender, Bond, Cantu, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Flanagan, Gallagher, Grimm, Isaacson, James, Kaiser, King R., Lundquist, McDonald, Nickell, Nisbet, Padden, Pruitt, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Taylor, Walk, Wang, Williams, Winsley.

Not voting: Representatives Berleen, Brown, Eng, Fiske, Leonard, Martinis, North, Warnke.

House Bill No. 1092 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1145 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is added to chapter 56.02 RCW a new section to read as follows:

Whenever the boundaries or proposed boundaries of a sewer district include or are proposed to include by means of formation, annexation, consolidation, or merger (including merger with a water district) territory in more than one county, all duties delegated by Title 56 RCW to officers of the county in which the district is located shall be delegated to the officers of the county in which the largest land area of the district is located, except that elections shall be conducted pursuant to RCW 56.02.050, actions subject to review and approval under RCW 56.02.060 and 56.02.070 shall be reviewed and approved by only the officers or boards in the county in which such actions are proposed to occur, verification of electors' signatures shall be conducted by the county election officer of the county in which such signators reside, and comprehensive plan review and approval or rejection by the respective county legislative authorities under RCW 56.08.020 shall be limited to that part of such plans within the respective counties.

NEW SECTION. Sec. 2. There is added to chapter 56.02 RCW a new section to read as follows:

All actions taken in regard to the formation, annexation, consolidation, or merger of sewer districts prior to the effective date of this act but consistent with this title, as amended, are hereby approved and ratified and shall be legal for all purposes.

Sec. 3. Section 1, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.070 are each amended to read as follows:

The territory adjoining or in close proximity to ~~((and in the same county with))~~ a district may be annexed to and become a part of the district in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county ~~((auditor))~~ election officer, who shall, within ten days, examine the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose ~~((he))~~ the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the ~~((auditor))~~ election officer shall transmit it, together with ~~((his))~~ a certificate of sufficiency attached thereto to the sewer commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the ~~((board of))~~ county ~~((commissioners))~~ legislative authority.

The county ~~((commissioners))~~ legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the sewer commissioners, at a regular or special meeting shall cause to be published for at least two weeks in two successive issues of some weekly newspaper ~~((printed in the county, and))~~ in general circulation throughout the territory proposed to

be annexed (~~and in case no such newspaper is printed in the county, then in some such newspaper of general circulation therein~~), a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 4. Section 1, chapter 148, Laws of 1969 ex. sess. and RCW 56.36.010 are each amended to read as follows:

Any water district, acting alone or in conjunction with any other water district or districts similarly situated as hereafter described, the territory of which lies wholly or partly within, or which is adjoining or in proximity to (~~and in the same county with~~), a sewer district, may merge into the sewer district, and the sewer district will survive under its original name. The term 'in proximity to' as used herein shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the respective districts.

NEW SECTION. Sec. 5. There is added to chapter 57.02 RCW a new section to read as follows:

Whenever the boundaries or proposed boundaries of a water district include or are proposed to include by means of formation, annexation, consolidation, or merger (including merger with a sewer district) territory in more than one county, all duties delegated by Title 57 RCW to officers of the county in which the district is located shall be delegated to the officers of the county in which the largest land area of the district is located, except that elections shall be conducted pursuant to section 6 of this act, as now existing or hereafter amended, actions subject to review and approval under RCW 57.02.040 and 56.02.070 shall be reviewed and approved only by the officers or boards in the county in which such actions are proposed to occur, verification of electors' signatures shall be conducted by the county election officer of the county in which such signators reside, and comprehensive plan review and approval or rejection by the respective county legislative authorities under RCW 57.16.010 shall be limited to that part of such plans within the respective counties.

NEW SECTION. Sec. 6. There is added to chapter 57.02 RCW a new section to read as follows:

(1) Jurisdiction of any election held on the same date as a general election shall rest with the county election officer of each county in which the district or proposed district is located. Election returns of such elections shall be canvassed by the canvassing board of each county and the official results certified to the county election officer of the county in which the largest land area of the district or proposed district is located. Such county election officer shall then combine the official results from each county into a single official result.

(2) Jurisdiction of any election held on a different date than a general election shall rest with the county election officer of the county in which the largest land area of the district or proposed district is located. Election returns of such elections shall be canvassed by the canvassing board of such county and certified to the county election officer of such county.

(3) Candidates for the office of commissioner shall file declarations of candidacy with the county election officer of the county in which the largest land area of the district is located.

(4) Elections referred to in this section shall be conducted as provided by this section and by the general election laws not inconsistent with this section.

NEW SECTION. Sec. 7. There is added to chapter 57.02 RCW a new section to read as follows:

All actions taken in regard to the formation, annexation, consolidation, or merger of water districts taken prior to the effective date of this act but consistent with this title, as amended, are hereby approved and ratified and shall be legal for all purposes.

Sec. 8. Section 24, chapter 251, Laws of 1953 and RCW 57.02.010 are each amended to read as follows:

Wherever in Title 57 RCW petitions are required to be signed by the owners of property, the following rules shall govern the sufficiency thereof:

(1) The signature of a record owner, as determined by the records of the county auditor of the county in which the real property is located, shall be sufficient without the signature of his or her spouse.

(2) In the case of mortgaged property, the signature of the mortgagor shall be sufficient.

(3) In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor of the county in which the real property is located, shall be deemed sufficient.

(4) Any officer of a corporation owning land in the district duly authorized to execute deeds or encumbrances on behalf of the corporation may sign on behalf of such corporation: PROVIDED, That there shall be attached to the petition a certified excerpt from the bylaws showing such authority.

(5) If any property in the district stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.

Sec. 9. Section 1, chapter 114, Laws of 1929 and RCW 57.04.020 are each amended to read as follows: Water districts for the acquirement, construction, maintenance, operation, development and regulation of a water supply system and providing for additions and betterments thereto (~~within such districts~~) are (~~hereby~~) authorized to be established (~~in the various counties of this state, as in this act provided~~). Such districts may include within their boundaries one or more incorporated cities and towns.

Sec. 10. Section 2, chapter 114, Laws of 1929 as amended by section 3, chapter 72, Laws of 1931 and RCW 57.04.030 are each amended to read as follows:

For the purpose of formation of (~~such~~) water districts, a petition shall be presented to the (~~board of~~) county (~~commissioners~~) legislative authority of (the) each county in which (said) the proposed water

district is located, which petition shall set forth the object for the creation of the ((said)) district, shall designate the boundaries thereof and set forth the further fact that ((the)) establishment of ((said)) the district will be conducive to the public health, convenience and welfare and will be of benefit to the property included ((therein)) in the district. ((Said)) The petition shall be signed by at least twenty-five percent of the qualified electors who shall be qualified electors on the date of filing the petition, residing within the district described in the ((said)) petition. The ((said)) petition shall be filed with the county ((auditor)) election officer of each county in which the proposed district is located, who shall, within ten days examine and verify the signatures ((thereof and certify to the sufficiency or insufficiency thereof)) of the signers residing in the county; and for such purpose the county ((auditor)) election official shall have access to all registration books in the possession of the officers of any incorporated city or town in such proposed district. No person having signed such a petition shall be allowed to withdraw his name ((therefrom)) from the petition after the filing of the ((same)) petition with the county ((auditor)) election officer. The petition shall be transmitted to the election officer of the county in which the largest land area of the district is located who shall certify to the sufficiency or insufficiency of the number of signatures. If ((such)) the petition shall be found to contain a sufficient number of signatures, the county ((auditor)) election officer shall then transmit the same, together with ((his)) a certificate of sufficiency attached thereto to the ((board of)) county ((commissioners. If such)) legislative authority of each county in which the proposed district is located. Following receipt of a petition ((is)) certified to contain a sufficient number of signatures, ((then)) at a regular or special meeting ((of the board of county commissioners of such county, the said county commissioners)) the county legislative authority shall cause to be published for at least two weeks in ((two)) successive issues of ((some)) one or more weekly newspapers ((printed and published in said county, and in case no such newspaper be printed or published in such county, then in some such newspaper of general circulation therein before the time at which the same is to be printed)) of general circulation in the proposed district, a notice that such a petition has been presented, stating the time of the meeting at which the ((same)) petition shall be ((presented)) considered, and setting forth the boundaries of ((said)) the proposed district. When such a petition is presented for hearing, ((the board of)) each county ((commissioners)) legislative authority shall hear the ((same)) petition or may adjourn ((said)) the hearing from time to time not exceeding one month in all ((; and)). Any person, firm, or corporation may appear before the ((said board of county commissioners)) county legislative authority and make objections to the establishment of the ((said)) district or the proposed boundary lines thereof ((; and)). Upon a final hearing ((said board of county commissioners)) each county legislative authority shall make such changes in the proposed boundary lines within the county as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed water district will be conducive to the public health, welfare and convenience and be of special benefit to the land included within the ((said)) boundaries of ((said)) the proposed district ((so established by the said board of county commissioners. PROVIDED, That)). No lands which will not, in the judgment of ((said board)) the county legislative authority, be benefited by inclusion therein, shall be included within the boundaries of ((said)) the district ((as so established and defined. AND PROVIDED FURTHER, That)). No change shall be made by the ((said board of county commissioners)) county legislative authority in the ((said)) boundary lines to include any territory outside of the boundaries described in the ((said)) petition, except that the boundaries of any proposed district may be extended by the ((board of county commissioners at such hearing)) county legislative authority to include other lands in ((said)) the county upon a petition signed by the owners of all of the land within the proposed extension.

Sec. 11. Section 3, chapter 114, Laws of 1929 as last amended by section 67, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition if ((the commissioners)) one or more county legislative authorities find that the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land therein, they shall by resolution call a special election to be held not less than thirty days from the date of the resolution, and cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the ((county in which the)) proposed district ((is located)), which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted for ten days in ten public places in the proposed district. In submitting the proposition to the voters, it shall be expressed on the ballots in the following terms: -

- Water District YES
- Water District NO

giving the name of the district as ((may be decided by the board)) provided in the petition.

At the same election ((the county commissioners shall submit)) a proposition shall be submitted to the voters, for their approval or rejection, authorizing the water district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the limitations provided by law, of not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district, said proposition to be expressed on the ballots in the following terms:

- One year one dollar and twenty-five cents per thousand dollars of assessed value tax YES
- One year one dollar and twenty-five cents per thousand dollars of assessed value tax NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.

Sec. 12. Section 2, chapter 108, Laws of 1959 and RCW 57.08.080 are each amended to read as follows:

The commissioners shall enforce collection of the water connection charges and rates and charges for water supplied against property owners connecting with the system and/or receiving such water, such charges being deemed charges against the property served, by addition of penalties of not more than ten percent thereof in case of failure to pay the charges at times fixed by resolution. The commissioners may provide by resolution that where either water connection charges or rates and charges for water supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the treasurer of the county in which the ~~((district is situated))~~ real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than eight percent per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

Sec. 13. Section 3, chapter 108, Laws of 1959 as amended by section 1, chapter 299, Laws of 1977 ex. sess. and RCW 57.08.090 are each amended to read as follows:

The district may, at any time after the connection charges or rates and charges for water supplied and penalties are delinquent for a period of sixty days, bring suit in foreclosure by civil action in the superior court of the county in which the ~~((district is situated))~~ real property is located. The court may allow, in addition to the costs and disbursements provided by statute, such an attorney's fee as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual, or against all of those who are delinquent in one action, and the laws and rules of the court shall control as in other civil actions.

In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for water supplied are delinquent for a period of sixty days.

Sec. 14. Section 4, chapter 18, Laws of 1959 as amended by section 39, chapter 126, Laws of 1979 ex. sess. and RCW 57.12.030 are each amended to read as follows:

The general laws of the state of Washington governing the registration of voters for a general or a special city election shall govern the registration of voters for elections held under this chapter. The manner of holding any general or special election for said water district shall be in accordance with the laws of this state. All elections in a water district shall be conducted ~~((by the canvassing board of the county within which it is located))~~ under section 6 of this 1982 act. All expenses of elections for a water district shall be paid for out of the funds of ~~((such))~~ the water district: PROVIDED, That if the voters fail to approve the formation of a water district, the ~~((county shall pay all))~~ expenses of the formation election shall be paid by each county in which the proposed district is located, in proportion to the number of registered voters in the proposed district residing in each county.

Except as in this section otherwise provided, the term of office of each water district commissioner shall be six years, such term to be computed from the first day of January following ~~((his))~~ the election, and one ~~((such))~~ commissioner shall be elected at each biennial general election, as provided in RCW 29.13.020, for the term of six years and until his or her successor is elected and qualified and assumes office in accordance with RCW 29.04.170. All candidates shall be voted upon by the entire water district.

~~((In any water district hereafter formed,))~~ Three water district commissioners shall be elected at the same election at which the proposition is submitted to the voters as to whether such water district shall be formed. The commissioner ((residing)) elected in commissioner ((district)) position number one shall hold office for the term of six years; the commissioner ((residing)) elected in commissioner ((district)) position number two shall hold office for the term of four years; and the commissioner ((residing)) elected in commissioner ((district)) position number three shall hold office for the term of two years: PROVIDED, That the members of the first commission shall take office immediately upon their election and qualification. The terms of all commissioners first to be elected ((as above provided)) shall also include the time intervening between the date that the results of their election are declared in the canvass of returns thereof and the first day of January following the next general district election as provided in RCW 29.13.020.

Sec. 15. Section 9, chapter 114, Laws of 1929 as last amended by section 13, chapter 251, Laws of 1953 and RCW 57.16.050 are each amended to read as follows:

A district may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. The levying, collection and enforcement of such assessments and issuance of bonds shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities of the first class insofar as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer of the county in which the real property is located for the purposes hereof. The mode of assessment shall be determined by the water commissioners by resolution. When in the petition or resolution for the establishment of a local improvement district, and in the comprehensive plan or amendment thereto or plan providing for additions and betterments to the original plan, previously adopted, it is provided that the assessments shall be for the sole purpose of payment into the revenue bond fund for the payment of revenue bonds, then the local improvement district shall be designated as a 'utility local improvement district.'

No warrants or bonds shall be issued in a utility local improvement district, but the collection of interest and principal on all assessments in the utility local improvement district shall be paid into the revenue bond fund.

Sec. 16. Section 11, chapter 18, Laws of 1959 as last amended by section 7, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.060 are each amended to read as follows:

Local improvement districts or utility local improvement districts to carry out the whole or any portion of the general comprehensive plan of improvements or plan providing for additions and betterments to the original general comprehensive plan previously adopted may be initiated either by resolution of the board of water commissioners or by petition signed by the owners according to the records of the office of the applicable county auditor of at least fifty-one percent of the area of the land within the limits of the local improvement district to be created.

In case the board of water commissioners shall desire to initiate the formation of a local improvement district or a utility local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed local improvement district or utility local improvement district, and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

In case any such local improvement district or utility local improvement district shall be initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement requested to be ordered and the fact that the signers thereof are the owners according to the records of the applicable county auditor of at least fifty-one percent of the area of land within the limits of the local improvement district or utility local improvement district to be created. Upon the filing of such petition the board shall determine whether the same shall be sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from the petition after the same has been filed with the board of water commissioners. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Notice of the adoption of the resolution of intention, whether the resolution was adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of water commissioners. Notice of the adoption of the resolution of intention shall also be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer of the county in which the real property is located at the address shown thereon. Whenever such notices are mailed, the water commissioners shall maintain a list of such reputed property owners, which list shall be kept on file at a location within the water district and shall be made available for public perusal. The notices shall refer to the resolution of intention and designate the proposed improvement district by number. Said notices shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the date, time and place of the hearing before the board of water commissioners. In the case of improvements initiated by resolution, said notice shall also: (1) State that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board of water commissioners before the time fixed for said public hearing; (2) state that if owners of at least forty percent of the area of land within the proposed district file written protests with the secretary of the board, the power of the water commissioners to proceed with the creation of the proposed district shall be divested; (3) provide the name and address of the secretary of the board; and (4) state the hours and location within the water district where the names of the property owners within the proposed district are kept available for public perusal. In the case of the notice given each owner or reputed owner by mail, the notice shall set forth the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract, parcel of land or other property.

Whether the improvement is initiated by petition or resolution, the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: PROVIDED, That the board may not change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners in the manner and form and within the time herein provided for the original notice.

After said hearing the commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: PROVIDED, That the jurisdiction of the commissioners to proceed with any improvement initiated by resolution shall be divested by protests filed with the secretary of the board prior to said public hearing signed by the owners, according to the records of the applicable county auditor, of at least forty percent of the area of land within the proposed local district.

If the commissioners find that the district should be formed, they shall by resolution order the improvement, provide the general funds of the water district to be applied thereto, adopt detailed plans of the local improvement district or utility local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the water district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work and file with the county treasurer of the county in which the real property is located its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

Sec. 17. Section 12, chapter 18, Laws of 1959 and RCW 57.16.070 are each amended to read as follows:

Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty days from the date of the first publication of the notice, within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the ~~((water district))~~ real property is located. At the hearing, or any adjournment thereof, the commissioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior, to the date fixed for the original hearing upon the roll.

Sec. 18. Section 13, chapter 114, Laws of 1929 as last amended by section 126, chapter 81, Laws of 1971 and RCW 57.16.090 are each amended to read as follows:

The decision of the water district commission upon any objections made within the time and in the manner herein prescribed, may be reviewed by the superior court upon an appeal thereto taken in the following manner. Such appeal shall be made by filing written notice of appeal with the secretary of said water district commission and with the clerk of the superior court in the county in which ~~((such water district))~~ the real property is situated within ten days after publication of a notice that the resolution confirming such assessment roll has been adopted, and such notice of appeal shall describe the property and set forth the objections of such appellant to such assessment; and within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of ~~((said))~~ the court, a transcript consisting of the assessment roll and ~~((his))~~ the appellant's objections thereto, together with the resolution confirming such assessment roll and the record of the water district commission with reference to ~~((said))~~ the assessment, which transcript, upon payment of the necessary fees therefor, shall be furnished by ~~((such))~~ the secretary of ~~((said))~~ the water district commission ~~((and by him))~~ certified by the secretary to contain full, true and correct copies of all matters and proceedings required to be included in such transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions. At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with at least two sureties, to be approved by the judge of said court, conditioned to prosecute such appeal without delay, and if unsuccessful to pay all costs to which the water district is put by reason of such appeal. The court may order the appellant upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require. Within three days after such transcript is filed in the superior court, ~~((as aforesaid;))~~ the appellant shall give written notice to the secretary of such water district, that such transcript is filed. ~~((Said))~~ The notice shall state a time ~~((t))~~, not less than three days from the service thereof ~~((t))~~, when the appellant will call up the ~~((said))~~ cause for hearing; and the superior court shall, at said time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury; and such cause shall have preference over all civil causes pending in ~~((said))~~ the court, except proceedings under an act relating to eminent domain ~~((in such water district))~~ and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer who shall have custody of the assessment roll, ~~((and he))~~ who shall modify and correct such assessment roll in accordance with such decision. An appeal shall lie to the supreme court or the court of appeals from the judgment of the superior court, as in other cases: PROVIDED, HOWEVER, That such appeal must be taken within fifteen days after the date of the entry of the judgment of such superior court; and the record and opening brief of the appellant in ~~((said))~~ the cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal shall have been taken by notice as provided in this ~~((act))~~ title. The time for filing such record and serving and filing of briefs in this section prescribed may be extended by order of the superior court, or by stipulation of the parties concerned. ~~((And))~~ The supreme court or the court of appeals on such appeal may correct, change, modify, confirm or annul the assessment insofar as the same affects the property of the appellant. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such assessment roll, who shall thereupon modify and correct such assessment roll in accordance with such decision.

Sec. 19. Section 23, chapter 251, Laws of 1953 and RCW 57.16.110 are each amended to read as follows:

Whenever any land against which there has been levied any special assessment by any water district shall have been sold in part or subdivided, the board of water commissioners of such district shall have the power to order a segregation of the assessment.

Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the board of commissioners of the water district which levied the assessment. If the water commissioners determine that a segregation should be made, they shall by resolution order the ((county)) treasurer of the county in which the real property is located to make segregation on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the ((county)) treasurer of the county in which the real property is located who shall proceed to make the segregation ordered upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the board of water commissioners may require as a condition to the order of segregation that the person seeking it pay the district the reasonable engineering and clerical costs incident to making the segregation.

Sec. 20. Section 1, chapter 82, Laws of 1935 as last amended by section 20, chapter 156, Laws of 1981 and RCW 57.20.030 are each amended to read as follows:

Every water district in the state is hereby authorized to create a fund for the purpose of guaranteeing, to the extent of such fund, and in the manner hereinafter provided, the payment of all of its local improvement bonds issued, subsequent to ((the effective date of this act)) June 9, 1937, to pay for any local improvement within its confines. Such fund shall be designated 'Local Improvement Guaranty Fund, Water District No.', and shall be established by resolution of the board of water commissioners. For the purpose of maintaining such fund, every water district, after the establishment thereof, shall at all times set aside and pay into such a fund such proportion of the monthly gross revenues of the water supply system of such water district as the commissioners thereof may direct by resolution. This proportion may be varied from time to time as the commissioners deem expedient or necessary: PROVIDED, HOWEVER, That under the existence of the conditions set forth in subsections (1) and (2) next hereunder, then the proportion must be as therein specified, to wit:

(1) Whenever any bonds of any local improvement district have been guaranteed under this act and the guaranty fund does not have a cash balance equal to twenty percent of all bonds originally guaranteed under this act, (excluding issues which have been retired in full) then twenty percent of the gross monthly revenues derived from all water users in the territory included in said local improvement district (but not necessarily from users in other parts of the water district as a whole) shall be set aside and paid into the guaranty fund: PROVIDED, HOWEVER, That whenever, under the requirements of this subsection, said cash balance accumulates so that it is equal to twenty percent of all bonds guaranteed, or to the full amount of all bonds guaranteed, outstanding and unpaid (which amount might be less than twenty percent of the original total guaranteed), then no further moneys need be set aside and paid into said guaranty fund so long as said condition shall continue.

(2) Whenever any warrants issued against the guaranty fund, as hereinbelow provided, remain outstanding and uncalled for lack of funds for six months from date of issuance thereof; or whenever any coupons or bonds guaranteed under this act have been matured for six months and have not been redeemed either in cash or by issuance and delivery of warrants upon the guaranty fund, then twenty percent of the gross monthly revenues (or such portion thereof as the commissioners of the water district determine will be sufficient to retire said warrants or redeem said coupons or bonds in the ensuing six months) derived from all water users in the water district shall be set aside and paid into the guaranty fund: PROVIDED, HOWEVER, That whenever under the requirements of this subsection all warrants, coupons, or bonds specified in this subsection above have been redeemed, no further income need be set aside and paid into said guaranty fund under the requirements of this subsection until and unless other warrants remain outstanding and unpaid for six months or other coupons or bonds default.

(3) For the purpose of complying with the requirements of setting aside and paying into the local improvement guaranty fund a proportion of the monthly gross revenues of the water supply system of any water district, as hereinabove provided, said water district shall bind and obligate itself to maintain and operate said system and further bind and obligate itself to establish, maintain and collect such rates, for water as will produce gross revenues sufficient to maintain and operate said water supply system and to make necessary provision for the local improvement guaranty fund as specified by this section and RCW 57.20.080 and 57.20.090. And said water district shall alter its rates for water from time to time and shall vary the same in different portions of its territory to comply with the said requirements.

(4) Whenever any coupon or bond guaranteed by this act shall mature and there shall not be sufficient funds in the appropriate local improvement district bond redemption fund to pay same, then the applicable county treasurer shall pay same from the local improvement guaranty fund of the water district; if there shall not be sufficient funds in the said guaranty fund to pay same, then the same may be paid by issuance and delivery of a warrant upon the local improvement guaranty fund.

(5) Whenever the cash balance in the local improvement guaranty fund is insufficient for the required purposes, warrants drawing interest at a rate determined by the commissioners may be issued by the applicable county auditor (~~(of the county in which the water district is located)~~), against the said fund to meet any liability accrued against it and must be issued upon demand of the holders of any maturing coupons and/or bonds guaranteed by this (~~(act)~~) section, or to pay for any certificates of delinquency for delinquent installments of assessments as provided in subsection (6) (~~(hereunder)~~) of this section. Guaranty fund warrants shall be a first lien in their order of issuance upon the gross revenues set aside and paid into said fund.

(6) Within twenty days after the date of delinquency of any annual installment of assessments levied for the purpose of paying the local improvement bonds of any water district guaranteed under the provisions of this act, it shall be mandatory for the county treasurer of the county in which (~~(said water district)~~) the real property is located to compile a statement of all installments delinquent, together with the amount of accrued interest and penalty appurtenant to each of said installments. Thereupon the applicable county treasurer shall forthwith purchase (for the water district) certificates of delinquency for all such delinquent installments. Payment for all such certificates of delinquency shall be made from the local improvement guaranty fund and if there shall not be sufficient moneys in said fund to pay for such certificates of delinquency, the applicable county treasurer shall accept said local improvement guaranty fund warrants in payment thereof. All such certificates of delinquency shall be issued in the name of the local improvement guaranty fund and all guaranty fund warrants issued in payment thereof shall be issued in the name of the appropriate local improvement district fund. Whenever any market is available and the commissioners of the water district so direct, the applicable county treasurer shall sell any certificates of delinquency belonging to the local improvement guaranty fund: PROVIDED, That any such sale must not be for less than face value thereof plus accrued interest from date of issuance to date of sale.

Such certificates of delinquency, as above provided, shall be issued by the county treasurer of the county in which the (~~(water district)~~) real property is located, shall bear interest at the rate of ten percent per annum, shall be in each instance for the face value of the delinquent installment, plus accrued interest to date of issuance of certificate of delinquency, plus a penalty of five percent of such face value, and shall set forth:

- (a) Description of property assessed;
- (b) Date installment of assessment became delinquent;
- (c) Name of owner or reputed owner, if known.

Such certificates of delinquency may be redeemed by the owner of the property assessed at any time up to two years from the date of foreclosure of such certificate of delinquency.

If any such certificate of delinquency be not redeemed on the second occurring first day of January subsequent to its issuance, the county treasurer who issued the certificate of delinquency shall then proceed to foreclose such certificate of delinquency in the manner specified for the foreclosure of the lien of local improvement assessments, pursuant to (~~(chapter 9 of the Session Laws of 1933 and amendments thereto);~~) chapter 35.50 RCW and if no redemption be made within the succeeding two years shall execute and deliver a deed conveying fee simple title to the property described in the foreclosed certificate of delinquency.

Sec. 21. Section 15, chapter 18, Laws of 1959 and RCW 57.24.010 are each amended to read as follows:

The territory adjoining or in close proximity to (~~(and in the same county with)~~) a district may be annexed to and become a part of the district in the following manner: Twenty percent of the number of registered voters residing in the territory proposed to be annexed who voted at the last election may file a petition with the district commissioners and cause the question to be submitted to the electors of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county (~~(auditor)~~) election officer of each county in which the real property proposed to be annexed is located, who shall, within ten days, examine and validate the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose (~~(he)~~) the county election officer shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the (~~(auditor)~~) county election officer of the county in which the real property proposed to be annexed is located shall transmit it, together with (~~(his)~~) a certificate of sufficiency attached thereto to the water commissioners of the district. If there are no electors residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the (~~(board of)~~) county (~~(commissioners)~~) legislative authority of each county in which the territory proposed to be annexed is located.

The county (~~(commissioners)~~) legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of electors, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the water commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in (~~(two successive issues of some weekly)~~) a newspaper ((printed in the county, and)) in general circulation throughout the territory proposed to be annexed (~~(, and in case no such newspaper is printed in the county, then in some such newspaper of general circulation therein;)~~) a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 22. Section 16, chapter 18, Laws of 1959 and RCW 57.24.020 are each amended to read as follows:

When such petition is presented for hearing, the ~~((said board of county commissioners))~~ legislative authority of each county in which the territory proposed to be annexed is located shall hear the ((same)) petition or may adjourn ((said)) the hearing from time to time not exceeding one month in all, and any person, firm, or corporation may appear before the ((board of)) county ((commissioners)) legislative authority and make objections to the proposed boundary lines or to ((the)) annexation of the territory described in the petition ((-and)). Upon a final hearing ((the said board of)) each county ((commissioners)) legislative authority shall make such changes in the proposed boundary lines within the county as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed annexation ((of the said territory)) as established by the ((said board of)) county ((commissioners)) legislative authority to the ((said)) water district will be conducive to the public health, welfare and convenience and will be of special benefit to the land included within the boundaries of the territory proposed to be annexed to the ((said)) water district ~~((and so established by the said board of county commissioners- PROVIDED, That)).~~ No lands which will not, in the judgment of ((said board)) the county legislative authority, be benefited by inclusion therein, shall be included within the boundaries of ((said)) the territory as so established and defined ~~((-AND PROVIDED FURTHER, That)).~~ No change shall be made by the ((said board of)) county ((commissioners)) legislative authority in the ((said)) boundary lines, including any territory outside of the boundary lines described in the petition ~~((-PROVIDED FURTHER, That)).~~ No person having signed such petition ~~((as herein provided for))~~ shall be allowed to withdraw his name therefrom after the filing of the ((same)) petition with the board of water commissioners ~~((to said water district)).~~

Upon the entry of the findings of the final hearing ~~((to the said petition by the said))~~ each county ~~((commissioners of such county))~~ legislative authority, if they find the ((said)) proposed annexation ~~((of the territory to the said water district))~~ to be conducive to the public health, welfare and convenience and to be of special benefit to the land proposed to be annexed and included within the boundaries of the district, ~~((they))~~ shall give notice of a special election to be held within the boundaries of the territory proposed to be annexed to ((said)) the water district for the purpose of determining whether the same shall be annexed to the ((said)) water district ~~((-and such)).~~ The notice shall particularly describe the boundaries established by the ~~((board of))~~ county ~~((commissioners on its final hearing of the said petition))~~ legislative authority, and shall state the name of the water district to which the ((said)) territory is proposed to be annexed, and the ~~((same))~~ notice shall be published ~~((for at least two weeks prior to such election in a weekly newspaper printed and published within the county within which said district is located, and in case no such newspaper be printed or published in such county, then in some such))~~ in a newspaper of general circulation ~~((therein for))~~ in the territory proposed to be annexed at least once a week for a minimum of two successive ~~((issues thereof))~~ weeks prior to the election and shall be posted for the same period in at least four public places within the boundaries of the ~~((district))~~ territory proposed to be annexed, which notice shall designate the places within the territory proposed to be annexed ~~((to said water district))~~ where the ((said)) election shall be held, and ~~((shall require the voters to cast))~~ the proposition to the voters shall be expressed on ballots which ~~((shall))~~ contain the words:

For Annexation to Water District
or
Against Annexation to Water District

The ~~((said))~~ county ~~((commissioners))~~ legislative authority shall name the persons to act as judges at such election.

Sec. 23. Section 2, chapter 55, Laws of 1941 and RCW 57.28.020 are each amended to read as follows:

The petition for withdrawal shall be filed with the county ~~((auditor))~~ election officer of ~~((the))~~ each county in which ~~((such))~~ the water district is located, and after ~~((such))~~ the filing no person having signed ~~((such))~~ the petition shall be allowed to withdraw his name therefrom. Within ten days after such filing, ~~((the))~~ each county ~~((auditor))~~ election officer shall examine and verify the signatures ~~((thereon and certify to the sufficiency or insufficiency thereof and))~~ of signers residing in the county. For such purpose the county ~~((auditor))~~ election officer shall have access to all appropriate registration books in the possession of the election officers of any incorporated city or town within the water district. The petition shall be transmitted to the election officer of the county in which the largest land area of the district is located, who shall certify to the sufficiency or insufficiency of the signatures. If such petition be found by ~~((the))~~ such county ~~((auditor))~~ election officer to contain sufficient signatures, ~~((he shall transmit the same))~~ the petition, together with ~~((his))~~ a certificate of sufficiency attached thereto, shall be transmitted to the commissioners of the water district.

Sec. 24. Section 6, chapter 55, Laws of 1941 and RCW 57.28.060 are each amended to read as follows:

Within ten days after ~~((such))~~ the final hearing the commissioners of ~~((such))~~ the water district shall transmit to the county ~~((commissioners of the))~~ legislative authority of each county in which ~~((such))~~ the water district is located the ~~((said))~~ petition for withdrawal together with a copy of the findings and recommendations of the commissioners of the water district certified by the secretary of ~~((such))~~ the water district to be a true and correct copy of such findings and recommendations as the same appear on the records of ~~((such))~~ the water district.

Sec. 25. Section 7, chapter 55, Laws of 1941 and RCW 57.28.070 are each amended to read as follows:

Upon receipt of ~~((such))~~ the petition and certified copy of the findings and recommendation adopted by the water commissioners, the county ~~((commissioners))~~ legislative authority of each county in which the

district is located at a regular or special meeting shall fix a time and place for hearing thereon and shall cause to be published at least once a week for ((at least)) two or more weeks in ((two)) successive issues of a ((weekly newspaper printed and published in said county and in general circulation throughout the said water district, and in case no newspaper is printed or published in said county, then in some)) newspaper of general circulation in ((said county and)) the water district, a notice that such petition has been presented to the county ((commissioners)) legislative authority stating the time and place of the hearing thereon, setting forth the boundaries of the territory proposed to be withdrawn as such boundaries are established and defined in the findings or recommendations of the commissioners of the water district.

Sec. 26. Section 9, chapter 55, Laws of 1941 and RCW 57.28.090 are each amended to read as follows:

If the ((said)) findings of ((the)) any county ((commissioners)) legislative authority answer any of such questions of fact in the negative, or if any of the findings of the county ((commissioners)) legislative authority are not the same as the findings of the water district commissioners upon the same question, then in either of such events, the petition for withdrawal shall be deemed denied. Thereupon, and in such event, the ((said county commissioners)) county legislative authority of each county in which the district is located shall by resolution cause a special election to be held not less than thirty days or more than sixty days from the date of the final hearing of ((the said)) any county ((commissioners)) legislative authority upon the ((said)) petition for withdrawal, at which election the proposition expressed on the ballots shall be substantially as follows:

'Shall the territory established and defined by the water district commissioners at their meeting held on the (insert date of final hearing of water district commissioners upon the petition for withdrawal) be withdrawn from water district (naming it).

YES NO

Sec. 27. Section 10, chapter 55, Laws of 1941 and RCW 57.28.100 are each amended to read as follows:

((The county commissioners shall cause)) Notice of such election ((to)) shall be posted and published in the same manner provided by law for the posting and publication of notice of elections to annex territory to water districts. The territory described in ((such)) the notice shall be that established and defined by the water district commissioners ((as above provided)). All qualified voters residing within ((such)) the water district shall have the right to vote at ((such)) the election. If a majority of the votes cast ((at such election)) favor the withdrawal from the water district of such territory, then within ten days after the official canvass of such election the ((said)) county ((commissioners)) legislative authority of each county in which the district is located, shall by resolution establish that ((such)) the territory has been withdrawn, and ((such)) the territory shall thereupon be withdrawn and excluded from ((such)) the water district the same as if it had never been included therein except for the lien of any taxes as hereinafter set forth.

Sec. 28. Section 1, chapter 267, Laws of 1943 as amended by section 1, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.010 are each amended to read as follows:

Two or more water districts, adjoining or in close proximity to ((and in the same county with)) each other, may be joined into one consolidated water district. The consolidation may be initiated in either of the following ways: Ten percent of the legal electors residing within each of the water districts proposed to be consolidated may petition the board of water commissioners of each of their respective water districts to cause the question to be submitted to the legal electors of the water districts proposed to be consolidated; or the boards of water commissioners of each of the water districts proposed to be consolidated may by resolution determine that the consolidation of the districts shall be conducive to the public health, welfare, and convenience and to be of special benefit to the lands of the districts.

Sec. 29. Section 1, chapter 28, Laws of 1961 as amended by section 3, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.010 are each amended to read as follows:

Whenever there are two water districts, the territories of which are adjoining or in close proximity to ((and in the same county with)) each other, either district, hereinafter referred to as the 'merging district', may merge into the other district, hereinafter referred to as the 'merger district', and the merger district will survive under its original number. The term 'in proximity to' as used hereinabove shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the two districts.

Sec. 30. Section 2, chapter 267, Laws of 1943 as amended by section 2, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.020 are each amended to read as follows:

If the consolidation proceedings are initiated by petition, upon the filing of such petitions with the boards of water commissioners of the water districts, the boards of water commissioners of ((not of said)) each district ((s)) shall file such petitions with the ((county auditor)) election officer of each county in which any district is located who shall within ten days examine and verify the signatures ((thereon and certify to the sufficiency or insufficiency thereof)) of the signers residing in the county. The petition shall be transmitted by the other county election officers to the county election officer of the county in which the largest land area involved in the petitions is located, who shall certify to the sufficiency or insufficiency of the signatures. If all of such petitions shall be found to contain a sufficient number of signatures, the county ((auditor)) election officer shall transmit the same, together with ((his)) a certificate of sufficiency attached thereto, to the boards of water commissioners of each of the districts proposed for consolidation. In the event that there are no legal electors residing in one or more of the water districts proposed to be consolidated, such petitions

may be signed by such a number as appear of record to own at least a majority of the acreage in the pertinent water district, and the petitions shall disclose the total number of acres of land in the said water district and shall also contain the names of all record owners of land therein.

Sec. 31. Section 9, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.022 are each amended to read as follows:

The respective boards of water commissioners of the consolidating districts shall certify the agreement to the county (~~auditor~~) election officer of ~~((the))~~ each county in which the districts are located. ~~((Thereupon, the county auditor shall call))~~ A special election shall be called by the county election officer under section 6 of this 1982 act for the purpose of submitting to the voters of each of the consolidating districts the proposition of whether or not the several districts shall be consolidated into one water district. The proposition shall give the title of the proposed consolidated district. Notice of the election shall be given and the election conducted in accordance with the general election laws.

Sec. 32. Section 10, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.023 are each amended to read as follows:

If at the election a majority of the voters in each of the consolidating districts (~~shall~~) vote in favor of the consolidation, the county canvassing board shall so declare in its canvass under section 6 of this 1982 act and the return of such election shall be made within ten days after the date thereof. Upon the return the consolidation shall be effective and the consolidating districts shall cease to exist and shall then be and become a new water district and municipal corporation of the state of Washington. The name of such new water district shall be 'Water District No. (~~County~~)', which shall be the name appearing on the ballot. The district shall have all and every power, right, and privilege possessed by other water districts of the state of Washington. The district may issue revenue bonds to pay for the construction of any additions and betterments set forth in the comprehensive (~~scheme and~~) plan of water supply contained in the agreement for consolidation and any future additions and betterments to the comprehensive (~~scheme and~~) plan of water supply, as its board of water commissioners shall by resolution adopt, without submitting a proposition therefor to the voters of the district.

Sec. 33. Section 3, chapter 28, Laws of 1961 as amended by section 5, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.030 are each amended to read as follows:

Whenever a merger is initiated in either of the two ways (~~hereinabove~~) provided under this chapter, the boards of water commissioners of the two districts shall enter into an agreement providing for the merger. Said agreement must be entered into within ninety days following completion of the last act (~~as hereinabove provided;~~) in initiation of the merger.

The respective boards of water commissioners (~~of said districts~~) shall certify (~~such~~) the agreement to the county (~~auditor~~) election officer of ~~((the))~~ each county in which the districts are located. ~~((Thereupon;))~~ The (~~said~~) county (~~auditor~~) election officer shall call a special election for the purpose of submitting to the voters of the merging district the proposition of whether the merging district shall be merged into the merger district. Notice of the election shall be given and the election conducted in accordance with the general election laws.

Sec. 35. Section 1, chapter 146, Laws of 1971 ex. sess. and RCW 57.40.100 are each amended to read as follows:

Any sewer district, acting alone or in conjunction with any other sewer district or districts similarly situated as hereafter described, the territory of which lies wholly or partly within, or which is adjoining or in proximity to (~~and in the same county with;~~) a water district, may merge into the water district, and the water district will survive under its original name. The term 'in proximity to' as used herein shall mean within one mile of each other, measured in a straight line between the closest points of approach of the territorial boundaries of the respective districts.

Sec. 36. Section 2, chapter 55, Laws of 1963 and RCW 57.90.020 are each amended to read as follows:

Upon the filing with the (~~board of~~) county (~~commissioners~~) legislative authority of ~~((the))~~ each county in which the district is located of a resolution of any governmental unit calling for the disincorporation of a special district, or upon the filing with the (~~board of~~) county (~~commissioners~~) legislative authority of each county in which the district is located of the petition of twenty percent of the qualified electors within a special district calling for the disincorporation of a special district the (~~board of~~) county (~~commissioners~~) legislative authority shall hold public hearings to determine whether or not any services have been provided within a consecutive five year period and whether the best interests of all persons concerned will be served by the proposed dissolution of the special district."

On page 1, line 1 of the title after "districts;" strike the remainder of the title and insert "amending section 1, chapter 11, Laws of 1967 ex. sess. and RCW 56.24.070; amending section 1, chapter 148, Laws of 1969 ex. sess. and RCW 56.36.010; amending section 24, chapter 251, Laws of 1953 and RCW 57.02.010; amending section 1, chapter 114, Laws of 1929 and RCW 57.04.020; amending section 2, chapter 114, Laws of 1929 as amended by section 3, chapter 72, Laws of 1931 and RCW 57.04.030; amending section 3, chapter 114, Laws of 1929 as last amended by section 67, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.04.050; amending section 2, chapter 108, Laws of 1959 and RCW 57.08.080; amending section 3, chapter 108, Laws of 1959 as amended by section 1, chapter 299, Laws of 1977 ex. sess. and RCW 57.08.090; amending section 4, chapter 18, Laws of 1959 as amended by section 39, chapter 126, Laws of 1979 ex. sess. and RCW 57.12.030; amending section 9, chapter 114, Laws of 1929 as last amended by section 13, chapter 251, Laws of 1953 and RCW 57.16.050; amending section 11, chapter 18, Laws of 1959 as last amended by section 7, chapter 299, Laws of 1977 ex. sess. and RCW 57.16.060; amending section 12, chapter 18, Laws of 1959 and RCW 57.16.070; amending section 13, chapter 114, Laws of 1929 as last amended by section

126, chapter 81, Laws of 1971 and RCW 57.16.090; amending section 23, chapter 251, Laws of 1953 and RCW 57.16.110; amending section 1, chapter 82, Laws of 1935 as last amended by section 20, chapter 156, Laws of 1981 and RCW 57.20.030; amending section 15, chapter 18, Laws of 1959 and RCW 57.24.010; amending section 16, chapter 18, Laws of 1959 and RCW 57.24.020; amending section 2, chapter 55, Laws of 1941 and RCW 57.28.020; amending section 6, chapter 55, Laws of 1941 and RCW 57.28.060; amending section 7, chapter 55, Laws of 1941 and RCW 57.28.070; amending section 9, chapter 55, Laws of 1941 and RCW 57.28.090; amending section 10, chapter 55, Laws of 1941 and RCW 57.28.100; amending section 1, chapter 267, Laws of 1943 as amended by section 1, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.010; amending section 1, chapter 28, Laws of 1961 as amended by section 3, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.010; amending section 2, chapter 267, Laws of 1943 as amended by section 2, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.020; amending section 9, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.022; amending section 10, chapter 39, Laws of 1967 ex. sess. and RCW 57.32.023; amending section 3, chapter 28, Laws of 1961 as amended by section 5, chapter 39, Laws of 1967 ex. sess. and RCW 57.36.030; amending section 1, chapter 146, Laws of 1971 ex. sess. and RCW 57.40.100; amending section 2, chapter 55, Laws of 1963 and RCW 57.90.020; adding new sections to chapter 56.02 RCW; and adding new sections to chapter 57.02 RCW.*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Isaacson, the House concurred in the Senate amendments to House Bill No. 1145.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1145 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1145 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Brown, Fiske, Hastings, Leonard, Martinis, North, Warnke.

House Bill No. 1145 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed REENGROSSED HOUSE BILL NO. 286 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 2, chapter 73, Laws of 1979 and RCW 28B.04.020 are each amended to read as follows:

The legislature finds that homemakers are an unrecognized part of the work force who make an invaluable contribution to the strength, durability, and purpose of our state.

The legislature further finds that there is an increasing number of persons in this state who, having fulfilled a role as homemaker, find themselves "displaced" in their middle years through divorce, death of spouse, disability of spouse, or other loss of family income of a spouse. As a consequence, displaced homemakers are very often left with little or no income; they are ineligible for categorical welfare assistance; they are subject to the highest rate of unemployment of any sector of the work force; they face continuing discrimination in employment because of their age and lack of recent paid work experience; they are ineligible for unemployment insurance because they have been engaged in unpaid labor in the home; they are ineligible for social security benefits because they are too young, and many never qualify because they have been divorced from the family wage earner; they may have lost beneficiaries' rights under employer's pension and health plans through divorce or death of spouse; and they are often unacceptable to private health insurance plans because of their age.

It is the purpose of this chapter to establish ~~((a two-year pilot project))~~ guidelines under which the council for postsecondary education shall contract to establish multipurpose service centers and programs to provide necessary training opportunities, counseling, and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life.

Sec. 2. Section 4, chapter 73, Laws of 1979 and RCW 28B.04.040 are each amended to read as follows:

(1) The council, in consultation with state and local governmental agencies, community groups, and local and national organizations concerned with displaced homemakers, shall receive applications and may contract with public or private nonprofit organizations to establish multipurpose service centers for displaced homemakers. In determining sites and administering agencies or organizations for the centers, the council shall consider the experience and capabilities of the public or private nonprofit organizations making application to provide services to a center.

(2) Not later than ninety days after June 7, 1979, the council shall issue rules prescribing the standards to be met by each center in accordance with the ~~((policies))~~ policies set forth in this chapter. Continuing funds for the maintenance of each center shall be contingent upon the determination by the council that the center is in compliance with the contractual conditions and with the rules prescribed by the council.

Sec. 3. Section 5, chapter 73, Laws of 1979 and RCW 28B.04.050 are each amended to read as follows:

(1) Each center contracted for under this chapter shall include or provide information and referral to the following services:

(a) Job counseling services which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities; and

(iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development;

(b) Job training and job placement services which shall:

(i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which lead to gainful employment;

(ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors;

(c) Health counseling services, including referral to existing health programs, with respect to:

(i) General principles of preventative health care;

(ii) Health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Family health care and nutrition;

(iv) Alcohol and drug abuse; and

(v) Other related health care matters;

(d) Financial management services which provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans, and other related financial matters;

(e) Educational services, including:

(i) Outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Information about such other programs as are determined to be of interest and benefit to displaced homemakers by the council;

(f) Legal counseling and referral services; and

(g) Outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the council determines would be of interest and benefit to displaced homemakers.

(2) The staff positions of each multipurpose center contracted for in accordance with RCW ~~((28B-04-030))~~ 28B.04.040, including supervisory, technical, and administrative positions, shall, to the maximum extent possible, be filled by displaced homemakers.

Sec. 4. Section 6, chapter 73, Laws of 1979 and RCW 28B.04.060 are each amended to read as follows:

The council may contract, where appropriate, with public or private nonprofit groups or organizations serving the needs of displaced homemakers for programs designed to:

(1) Provide direct services to displaced homemakers, including job counseling, job training and placement, health counseling, financial management, educational counseling, legal counseling, and referral services as described in RCW ~~((28B-04-040))~~ 28B.04.050;

(2) Provide state-wide outreach and information services for displaced homemakers; and

(3) Provide training opportunities for persons serving the needs of displaced homemakers, including those persons in areas not directly served by programs and centers established under this chapter.

Sec. 5. Section 7, chapter 73, Laws of 1979 and RCW 28B.04.070 are each amended to read as follows:

The council shall submit to the legislature ~~((a final))~~ an evaluation at the end of the ~~((two-year project))~~ first two years and a biennial evaluation beginning in January 1984. The evaluations may include recommendation for future programs as ~~((submitted by the centers established under this chapter))~~ determined by the council.

Sec. 6. Section 8, chapter 73, Laws of 1979 and RCW 28B.04.080 are each amended to read as follows:

(1) The council shall consult and cooperate with the department of social and health services; the state board for community college education; the superintendent of public instruction; the commission for vocational education; the employment security department; the department of labor and industries; sponsoring agencies under the federal comprehensive employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as the council deems appropriate to facilitate the coordination of centers established under this chapter with existing programs of a similar nature.

(2) Annually on July 1st, each agency listed in subsection (1) of this section shall submit a description of each service or program under its jurisdiction which would support the programs and centers established by this chapter and the funds available for such support.

(3) The council shall serve as a clearinghouse for displaced homemaker information and resources and shall compile and disseminate ((the)) state-wide information to the centers, related agencies, and interested persons upon request.

Sec. 7. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 12, chapter ... (3SHB 179), Laws of 1982 and RCW 36.18.010 are each amended to read as follows:

County auditors shall collect the following fees for their official services: For filing each chattel mortgage, renewal affidavit, or conditional sale contract, and entering same as required by law, two dollars; for each assignment, modification, transfer, correction, or release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars;

For filing a release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars: PROVIDED, That said fee shall be paid at the time of filing the chattel mortgage, conditional sale contract, or miscellaneous instrument, and no charge shall be made when the release of any of the above instruments is filed;

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), three dollars; for each additional legal size page, one dollar; for indexing each name over two, fifty cents;

For marginal release of mortgage or lien, one dollar;

For preparing and certifying copies, for the first legal size page, two dollars; for each additional legal size page, one dollar;

For preparing noncertified copies, for each legal size page, fifty cents;

For administering an oath or taking an affidavit, with or without seal, two dollars;

For issuing marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, which five-dollar fee shall expire June 30, 1984, plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund which five-dollar fee shall expire June 30, 1987;

For searching records per hour, four dollars;

For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

For filing of miscellaneous records, not listed above, three dollars;

For making marginal notations on original recording when blanket assignment or release of instrument is filed for record, each notation, fifty cents;

For recording of miscellaneous records, not listed above, for first legal size page, three dollars; for each additional legal size page, one dollar.

NEW SECTION. Sec. 8. There is appropriated to the council for postsecondary education from the general fund for the biennium ending June 30, 1983, the sum of two hundred forty-four thousand dollars to carry out the purposes of this act.

NEW SECTION. Sec. 9. Section 13, chapter 73, Laws of 1979 and RCW 28B.04.130 are each repealed.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 11. The provisions of this 1982 act shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time."

On page 1, line 1 of the title after "homemakers;" strike the remainder of the title and insert "amending section 2, chapter 73, Laws of 1979 and RCW 28B.04.020; amending section 4, chapter 73, Laws of 1979 and RCW 28B.04.040; amending section 5, chapter 73, Laws of 1979 and RCW 28B.04.050; amending section 6, chapter 73, Laws of 1979 and RCW 28B.04.060; amending section 7, chapter 73, Laws of 1979 and RCW 28B.04.070; amending section 8, chapter 73, Laws of 1979 and RCW 28B.04.080; amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 12, chapter ... (3SHB 179), Laws of 1982 and RCW 36.18.010; repealing section 13, chapter 73, Laws of 1979 and RCW 28B.04.130; making an appropriation; providing an expiration date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Teutsch, the House concurred in the Senate amendments to Reengrossed House Bill No. 286.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Reengrossed House Bill No. 286 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 286 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 2; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Salatino, Walk.

Not voting: Representatives Berleen, Brown, Fiske, Hastings, Leonard, Martinis, North, Struthers, Warnke.

Reengrossed House Bill No. 286 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3916, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rosbach, the House receded from its amendments to Engrossed Senate Bill No. 3916.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 3916 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3916 without the House amendments, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Brown, Fiske, Hastings, Leonard, Martinis, North, Struthers, Warnke.

Engrossed Senate Bill No. 3916 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wilson, the House insisted on its position with regard to Engrossed Substitute Senate Bill No. 3946, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Prince, Sprague and Owen as conferees on Engrossed Substitute Senate Bill No. 3946.

MESSAGE FROM THE SENATE

March 23, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 4492, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Ellis moved that the House do recede from its amendments to Engrossed Senate Bill No. 4492.

Mr. Ellis spoke in favor of the motion, and Mr. Eberle spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do recede from its amendments to Engrossed Senate Bill No. 4492, and the motion was carried by the following vote: Yeas, 51; nays, 37; not voting, 10.

Voting yea: Representatives Addison, Armstrong, Barnes, Barrett, Becker, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Ellis, Erak, Fancher, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Johnson, King J., King R., Kreidler, Lux, McCormick, McDonald, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Tilly, Valle, Vander Stoep, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Bender, Bickham, Cantu, Clayton, Dickie, Eberle, Ehlers, Eng, Flanagan, Garson, Hankins, Houchen, Isaacson, James, Kaiser, Lewis, Lundquist, Maxie, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rinchart, Rosbach, Sanders, Schmidt, Smith, Sprague, Tupper, Van Dyken, Williams, Wilson.

Not voting: Representatives Amen, Berleen, Brown, Fiske, Hastings, Leonard, Martinis, North, Struthers, Warnke.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 4492 without the House amendments.

Mr. Ellis spoke in favor of passage of the bill, and Mr. Eberle spoke against it.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Tilly.

Mr. Tilly: "Does this take away local control, Representative Ellis?"

Mr. Ellis: "Well it appears to me that it might, yes."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4492 without the House amendments, and the bill passed the House by the following vote: Yeas, 57; nays, 30; not voting, 11.

Voting yea: Representatives Addison, Amen, Barr, Barrett, Becker, Bickham, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Garson,

Granlund, Greengo, Grimm, Heck, James, Johnson, Kaiser, King J., King R., Kreidler, Lux, Maxie, McCormick, McGinnis, Monohon, Nelson D., Nickell, Nisbet, O'Brien, Owen, Pruitt, Rust, Salatino, Sanders, Scott, Sherman, Stratton, Taylor, Thompson, Valle, Van Dyken, Walk, Wang, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Bender, Cantu, Clayton, Eberle, Eng, Galloway, Garrett, Hankins, Hine, Houchen, Lewis, Lundquist, McDonald, Mitchell, Nelson G. A., Padden, Patrick, Prince, Rinehart, Rosbach, Schmidt, Smith, Sommers, Sprague, Tilly, Tupper, Vander Stoep, Wilson.

Not voting: Representatives Berleen, Brown, Fiske, Hastings, Isaacson, Leonard, Martinis, North, Struthers, Teutsch, Warnke.

Engrossed Senate Bill No. 4492 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 19, 1982

Mr. Speaker:

The Senate insists on its position regarding the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and once again asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Taylor, the House insisted on its position with regard to Engrossed Substitute Senate Bill No. 4675, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Taylor, Johnson and Cole as conferees on Engrossed Substitute Senate Bill No. 4675.

MESSAGE FROM THE SENATE

March 17, 1982

Mr. Speaker:

The Senate refuses to concur in the house amendments to SENATE BILL NO. 4717, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House insisted on its position with regard to Senate Bill No. 4717, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

March 24, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, and has appointed the following members to serve on the Conference Committee: Senators Hayner, McDermott, Scott.

Sidney R. Snyder, Secretary.

POINT OF ORDER

Mr. Nelson (G): "Mr. Speaker, I raise a point of order on the violation of Joint Rule 7, relative to the Senate's appointment of their conferees. I'd like to note that the conferees are to be made up of majority and minority positions, as relates to that subject matter, and it comes to my attention that all three appointees voted in the affirmative on Engrossed Substitute Senate Bill No. 4369."

The Speaker: "The Speaker will defer making a ruling on your point of order until tomorrow, Representative Nelson."

MOTIONS

On motion of Mr. Nelson (G), SUBSTITUTE SENATE BILL NO. 4586 was rereferred from Committee on Rules to Committee on Appropriations – General Government.

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Thursday, March 25, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

FOURTEENTH DAY**AFTERNOON SESSION**

House Chamber, Olympia, Wash., Thursday, March 25, 1982.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Berleen, Fiske, Leonard and McCormick, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Melina Dyer and Scott Wallace. Prayer was offered by The Reverend Timothy Dolan, Westminster Presbyterian Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 25, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3916,
SENATE BILL NO. 4492,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 25, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, and the President has appointed the following conferees: Senators von Reichbauer, Hansen, Patterson.

Sidney R. Snyder, Secretary.

March 25, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and the President has appointed the following conferees: Senators Kiskaddon, Wilson, Lee.

Sidney R. Snyder, Secretary.

March 26, 1982

Mr. Speaker:

The Senate refuses to recede from its amendments to HOUSE BILL NO. 600, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Clarke, Hemstad, Talmadge.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ellis, the House granted the request of the Senate for a conference on House Bill No. 600.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ellis, Padden and Salatino as conferees on House Bill No. 600.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3916,
SENATE BILL NO. 4492.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 612, by Committee on Revenue (originally sponsored by Representatives Amen, Greengo, Granlund, Rinehart, Flanagan, Bond, Fancher and Clayton):

Modifying provisions on county indicated ratios.

The bill was read the third time and placed on final passage.

Mr. Amen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 612, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Substitute House Bill No. 612, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 268,
HOUSE BILL NO. 286,
HOUSE BILL NO. 1092,
HOUSE BILL NO. 1145.

HOUSE BILL NO. 933, by Committee on Appropriations - General Government and Representatives Williams, Ehlers, Nelson (G), Thompson, Greengo and Sommers (by Legislative Budget Committee request):

Modifying provisions on the procurement of insurance by state agencies.

The bill was read the third time and placed on final passage.

Mr. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 933, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

House Bill No. 933, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1002, by Representatives McCormick, Wilson, Martinis and Erak:

Extending the annual license fee on the use of natural gas and propane in motor vehicles.

The bill was read the third time and placed on final passage.

Mr. Martinis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1002, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Engrossed House Bill No. 1002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1023, by Representatives Erak, Wilson, Thompson, Williams, Rust, Greengo, Galloway, Sommers and Flanagan:

Increasing the fee for driving record abstracts.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1023, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Eng.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

House Bill No. 1023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1231, by Committee on Local Government and Representatives Isaacson, Hine, Eberle, Burns, James, Kreidler, Lundquist, Chamberlain, Johnson and Winsley:

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1231, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund,

Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

House Bill No. 1231, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 755, by Representatives Prince, Fiske and Erickson:

Deducting trade-in allowances from the selling price for sales tax purposes.

The bill was read the second time.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Struthers:

On page 1, line 11 after "except" insert ", until July 1, 1983,"

Representatives Flanagan and Prince spoke in favor of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 764, by Committee on Revenue and Representative Greengo (by Department of Revenue request):

Making provisions on property taxation.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 764 was substituted for House Bill No. 764, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 764 was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Greengo and Flanagan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 764, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Substitute House Bill No. 764, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1099, by Committee on Appropriations - General Government and Representative Williams:

Revising forest fire protections assessments.

The bill was read the second time.

On motion of Ms. Rosbach, the following amendments by Representatives Rosbach and Garson were adopted:

On page 1, line 22 after "mountains" insert "PROVIDED FURTHER, That any land owner owning several parcels in a county any of which are under thirty acres may combine all parcels for the purpose of assessment so that the assessment applies as though all such acres were contiguous. The land owner must file an affidavit at the time of payment of taxes showing the number of acres and the legal description of each parcel. In the event that total acreage of all parcels is less than thirty acres the payment shall be the statutory amount."

On page 4, line 31 after "dollars" strike all of the material down to and including "acres" on line 33.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1216, by Committee on Ways and Means and Representative Chandler:

Authorizing institutions of higher education to purchase private sector services.

The bill was read the second time. On motion of Mr. Hastings, Substitute House Bill No. 1216 was substituted for House Bill No. 1216, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1216 was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 4133, by Senators Quigg, Ridder and Sellar (by Governor Spellman request):

Modifying the adjustments in compensation or death benefits payable under the industrial insurance system.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 8th Day, 1st ex. sess., March 19, 1982.)

Mr. Sanders moved adoption of the committee amendments.

Representatives Sanders and Lux spoke in favor of the amendments, and they were adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sanders spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4133 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Engrossed Senate Bill No. 4133 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Williams, Struthers and Monohon as conferees on Senate Bill No. 4717.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, by Committee on Ways and Means (originally sponsored by Senators Craswell, Jones and Scott):

Authorizing the physical revaluation of property every six years if statistical adjustments are made.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendments, see Journal, 13th Day, 1st ex. sess., March 24, 1982.)

Mr. Greengo moved adoption of the committee amendment, striking everything after the enacting clause and inserting new material.

On motion of Mr. Addison, the following amendment by Representatives Addison and Greengo to the committee amendment was adopted:

On page 3 of the amendment, after line 25 strike all material down through line 14 on page 5 and insert the following:

"Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to ~~((May 31st))~~ August 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of ~~((the April 30th immediately preceding the date that the property is placed on the assessment rolls))~~ July 31st of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster, the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:"

Mr. Greengo moved adoption of the following amendment by Representatives Amen and Greengo to the committee amendment:

On page 7 of the amendment after Line 4 strike all material down through "immediately." on line 11 and insert the following:

"Sec. 6. Section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

(1) Appeals taken pursuant to RCW 82.03.190.

(2) Appeals from a county board of equalization pursuant to RCW 84.08.130.

(3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.

(4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.

(5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) Said appeal be filed after review of the ratio ~~((by the assessor with the department of revenue and upon or before August 11th))~~ under RCW 84.48.075(3) and not later than fifteen days after the date of certification as required by RCW 84.48.075; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

Sec. 7. Section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine ~~((the))~~ and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, ((may)) shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of August. Prior to equalization of assessments pursuant to RCW 84.48.080(, but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor)) and after the third Monday of August, the department shall certify to each county assessor the real and personal property ratio for that county.

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 8. Section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the provisions of RCW 82.03.190: AND PROVIDED FURTHER, That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04 RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 9. Section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180 are each amended to read as follows:

Judicial review of a decision of the board of tax appeals shall be de novo in accordance with the provisions of RCW 82.32.180 or 84.68.020 as applicable except when the decision has been rendered pursuant to a formal hearing elected under RCW 82.03.140 or 82.03.190, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and 34.04.140: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the rights of a taxpayer conferred by RCW 82.32.180 and 84.68.020 to sue for tax refunds: AND PROVIDED FURTHER, That no review from a decision made pursuant to RCW 82.03.130(1) may be obtained by a taxpayer unless within the petition period provided by RCW 34.04.130 the taxpayer shall have first paid in full the contested tax, together with all penalties and interest thereon, if any. The director of revenue shall have the same right of review from a decision made pursuant to RCW 82.03.130(1) as does a taxpayer; and the director of revenue and all parties to an appeal under RCW 82.03.130(5) shall have the right of review from a decision made pursuant to RCW 82.03.130(5).

NEW SECTION. Sec. 10. There is added to chapter 84.40 RCW a new section to read as follows:

For the purpose of assessment and valuation of all taxable property in each county, any real or personal property in each county shall be subject to visitation, investigation, examination, discovery, and listing at any reasonable time by the county assessor of the county or by any employee thereof designated for this purpose by the assessor.

In any case of refusal to such access, the assessor shall request assistance from the department of revenue which may invoke the power granted by chapter 84.08 RCW.

NEW SECTION. Sec. 11. Sections 1 through 5 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Greengo spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Greengo, could you comment on the similarity between this amendment and Substitute House Bill No. 612, which is on the third reading calendar?"

Mr. Greengo: "My understanding is that it's very similar."

Ms. Rinehart spoke in favor of the amendment.

The amendment to the committee amendment was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

Mr. Greengo spoke in favor of the amendment as amended, and it was adopted.

Mr. Greengo moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Greengo, the following amendment to the title amendment was adopted:

On page 8 of the title amendment, on line 7, after "84.40.040;" insert "amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; adding a new section to chapter 84.40 RCW;"

The committee amendment to the title as amended was adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Greengo, Van Dyken, Nisbet and Addison spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Hine.

Ms. Hine: "Representative Greengo, the statistical basis for making this assessment concerns me a little. I wonder if you could explain a bit more about what that is? I'm concerned because I've seen instances where property has been assessed at a high level based upon the sale of another piece of property. Sometimes there are agreements made when property is sold so that the price doesn't necessarily show what an honest market price might be. Is there any way that kind of thing is covered in the statistical basis?"

Mr. Greengo: "At the request of the Association of County Officials, we have in the bill the requirement that the Department of Revenue will come up with a rule as to how this is to be implemented so that we will be well aware of the local idiosyncrasies that could occur and will be accounted for. It's left open in the bill as to exactly what this procedure will be, but it will be a uniform procedure for all counties. We're advised that we could get into some rather weird variations from county to county if we don't do that, and many of the county assessors might not have the capability to set up a good system. I think, with the county assessors advising and looking over the shoulders of the Department of Revenue, that—I'm assured anyway—we will have an equitable system that will be workable."

Ms. Rust spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Greengo, has the King County Assessor indicated his interest in this bill?"

Mr. Greengo: "Yes, he has. The amendment offered by Representative Addison and myself was in response to a concern of his."

Mr. Nelson (D): "He will support the bill then?"

Mr. Greengo: "Well, let's put it this way: He did not come down and testify on the bill, either for or against it, and I have not heard from him in either support of or opposition to the bill, other than this one point which we have clarified for him by the amendment."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3783 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barrett, Eng, Padden, Teutsch.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Engrossed Substitute Senate Bill No. 3783 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, by Committee on Social and Health Services (originally sponsored by Senator Deccio):

Modifying provisions relating to social and health services.

The bill was read the second time.

Committee on Appropriations – Human Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 10th Day, 1st ex. sess., March 21, 1982.)

On motion of Mr. Nisbet, the committee amendment to page 2, line 18 was adopted.

Mr. Nisbet moved adoption of the committee amendments to page 8, line 8 and page 9, line 8.

Mr. Nisbet spoke in favor of the committee amendments, and Representatives McGinnis and Thompson spoke against them.

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, at what point on the calendar, either the second or third reading, is it timely to raise the issue of whether or not the bill before us falls within the purview of the cutoff resolution?"

SPEAKER'S RULING

The Speaker: "Representative Heck, the language of Engrossed Senate Concurrent Resolution No. 150, states, 'The subject to be considered at the special session be limited to the following:...' Therefore, it would seem to me that it could be raised on either second reading or any reading—first, second or third."

Mr. Kreidler spoke against the committee amendments to page 8, line 8 and page 9, line 8.

The committee amendments were not adopted.

Mr. Nisbet moved adoption of the committee amendment to page 9, line 22.

Ms. Brekke spoke in favor of the amendment, and Mr. Kreidler spoke against it.

The committee amendment was not adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nisbet and Kreidler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4285 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

Engrossed Substitute Senate Bill No. 4285 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4705, by Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing the use of credit cards for state purchases.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass with the following amendment:

On page 1, line 10 after "institution" insert "or institutions"

On motion of Mr. Addison, the committee amendment was adopted.

Mr. Kaiser moved adoption of the following amendment by Representatives Kaiser and Walk:

On page 1, line 18 after "cards;" insert:

"(d) Instructing users of gasoline credit cards to use self-service islands whenever possible;"
Reletter the remaining subsections consecutively.

Mr. Kaiser spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Kaiser yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Kaiser, 'whenever possible' is a pretty vague term; could you give me an idea of what the frequency would be?"

Mr. Kaiser: "I can't exactly answer that except to say the reason it's worded like that is that I wanted to take care of those people who are disabled and those situations where there isn't a self-service island."

POINT OF INQUIRY

Mr. Addison yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Addison, could you clarify the term 'whenever possible,' or, at least, explain how it looks to the Chairman of the State Government Committee?"

Mr. Addison: "Representative Hastings, I think that's a good question. I would say that if a car—a state car—is driven in to a service station and there's a self-service island at that station, that state employee should use the self-service pump, in that instance. If they go into a station that doesn't have one, of course, they probably wouldn't be able to do it, but when reasonable. Clearly, in a case where there are two islands, they should go to the self-service one."

Mr. Hastings spoke in favor of the amendment, and it was adopted.

Engrossed Senate Bill No. 4705 as amended by the House was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

The bill was read the second time.

POINT OF ORDER

Mr. Owen: "Mr. Speaker, in this process, do we go back and reread the committee amendments that were passed in the regular session?"

SPEAKER'S RULING

The Speaker: "Representative Owen, the procedure that the House has been following on the bills that have been passed by the Senate that previously had House amendments adopted in the first session, is that we've been making a motion on the floor that all the amendments previously adopted by the House be again adopted. The question then can be decided as to whether or not the body wishes to reread those amendments."

MOTION

Ms. Houchen moved that the House adopt all amendments previously adopted to Engrossed Senate Bill No. 4733.

Representatives Houchen, Lewis, Struthers, Granlund and Nisbet spoke against the motion, and Representatives Van Dyken, Owen, Padden, Becker and Scott spoke in favor of it.

Mr. Van Dyken spoke again in favor of the motion, and Ms. Houchen again opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House readopt the amendments to Engrossed Senate Bill No. 4733, and the motion was carried by the following vote: Yeas, 51; nays, 43; not voting, 4.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lundquist, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Fancher, Galloway, Garrett, Garson, Granlund, Grengo, Hankins, Hastings, Houchen, Isaacson, James, Lewis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Sanders, Smith, Sprague, Struthers, Taylor, Tilly, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, McCormick.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 25, 1982

SENATE BILL NO. 4634, Prime Sponsor: Senator Scott, providing for adjustments in the apportionment of the state levy. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 21 insert the following:

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 4 of the title after "84.48.080;" strike "and" and on line 5 after "84.55.070" insert "; and declaring an emergency"

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Becker, Grengo, McDonald, Nisbet, Thompson, Williams.

Not attending: Representative Warnke.

Passed to Committee on Rules for second reading.

March 25, 1982

SUBSTITUTE SENATE BILL NO. 4864, Prime Sponsor: Committee on Local Government, mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Thompson, Ranking Minority Member; Amen, Barnes, King (J), Maxie, McGinnis, Rosbach.

Not attending: Representatives Fiske, Vice Chairman; Ellis, Kaiser, Monohon.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Hastings, the House adjourned until 10:00 a.m., Friday, March 26, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, March 26, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Berleen, Fiske, Leonard, Salatino and Winsley. Representatives Berleen, Fiske, Leonard and Winsley were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi Yamashita and Peter Wiseman. Prayer was offered by The Reverend Timothy Dolan, Westminster Presbyterian Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 26, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 268,
HOUSE BILL NO. 286,
HOUSE BILL NO. 1092,
HOUSE BILL NO. 1145,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 26, 1982

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 4717, and the President has appointed the following conferees: Senators Metcalf, Rasmussen, Lee.

Sidney R. Snyder, Secretary.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4824, by Committee on Natural Resources (originally sponsored by Senators Gallagher, Zimmerman and Peterson):

Providing separate chapters of laws of aquatic lands.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rosbach spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rosbach yielded to question by Ms. Brekke.

Ms. Brekke: "I believe this limitation on increases will expire, is that right?"

Ms. Rosbach: "This will expire in July, 1983."

Mr. Barr spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4824, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hinc, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers,

Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, Salatino, Winsley.

Engrossed Substitute Senate Bill No. 4824, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 4733, by Senator Hayner:

Modifying certain methods of handling juvenile offenders.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

MOTION FOR RECONSIDERATION

Ms. Schmidt moved that the House reconsider the vote by which the committee amendments were adopted.

POINT OF ORDER

Ms. Becker: "Mr. Speaker, House Rule 25 provides that notice of reconsideration may be made only on the day the vote to be reconsidered was made. Reed's Rule 205 provides a motion to reconsider must be made on the day on which the action sought to be revised was had. The action sought to be revised was had yesterday; the vote to be reconsidered was made yesterday. By both of these rules, a motion to reconsider is now untimely and may not be considered."

SPEAKER'S RULING

The Speaker: "Representative Becker, House Rule 25D states a notice of a motion for reconsideration of any vote may be made only on the day the vote to be reconsidered was made. The term 'notice of motion for reconsideration' has long reflected the action on third reading. The reason for that has been, as one turns to Reed's 204, 'A motion to reconsider is not in order after action has been had by the assembly in consequence of the decision proposed to be reconsidered. For instance, a motion to commit may not be reconsidered after the committee has taken the papers...' Therefore, on second reading if an action has sent it to the Rules Committee, for example, it would be too late for reconsideration. This body has never allowed a notice of reconsideration to be issued on second reading because it would make it impossible for the House to proceed with consideration of the bill. In Reed's 205, cited by you, and further down in the same paragraph, it states, 'It has been laid down by very good authority that motions to reconsider can be made any time during the session, that is, during the whole period for which the assembly sits.' I would also bring to your attention a Speaker having ruled with Representative O'Brien presiding, 'Anytime a bill is pending before the House it may be reconsidered.' You will find that citation in the Journal for 1980, page 702. So with those authorities, Representative Becker, I would rule that your point of order is not well taken."

POINT OF ORDER

Ms. Becker: "Mr. Speaker, in the section of Reed's 205 that you cited, where it says: 'It has been laid down by very good authority that motions to reconsider can be made any time during the session, that is, during the whole period for which the assembly sits'; it is followed by the sentence which reads, 'But this would lead to such abuse and to so many bad practices, that modern opinion has become settled as stated above.' I further raise a point of parliamentary inquiry, with respect to the ruling by former Speaker O'Brien, as to whether or not that ruling affected a bill on final passage or affected an amendment."

The Speaker: "It did affect an amendment."

The Speaker stated the question before the House to be the motion by Representative Schmidt that the House reconsider the vote by which the committee amendments were adopted.

Ms. Schmidt spoke in favor of the motion, and Ms. Cole spoke against it.

POINT OF ORDER

Ms. Schmidt: "Mr. Speaker, I don't believe the speaker is addressing the question of reconsideration. I was simply giving my reasons why I asked for reconsideration, but she is arguing the amendments."

SPEAKER'S RULING

The Speaker: "Representative Schmidt, it has generally been the practice here that the motion to reconsider would open up the entire question to debate."

Ms. Cole continued her remarks in opposition to the motion. Representatives Ehlers, Van Dyken and Becker spoke against the motion, and Representatives Struthers and Houchen spoke in favor.

Mr. Brown demanded an electric roll call vote on the motion, and the demand was sustained.

Ms. Stratton spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the committee amendments to Engrossed Senate Bill No. 4733 were adopted, and the motion was carried by the following vote: Yeas, 48; nays, 46; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Tilly, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Walk, Wang, Warnke.

Not voting: Representatives Berleen, Fiske, Leonard, Winsley.

The Speaker stated the question before the House to be reconsideration of the adoption of the committee amendments.

Ms. Houchen spoke against the amendments, and Ms. Cole spoke in favor of them.

POINT OF INQUIRY

Ms. Cole yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Cole, you mentioned that you are intimately and closely involved with this diversion system; is that correct?"

Ms. Cole: "Yes."

Mr. Nisbet: "Would you lobby fines in your area? Would you engage in a bounty system?"

Ms. Cole: "Well, the board would set up the policy. I am on the board that the state law provides for."

Mr. Nisbet: "Would you set up a policy of this bounty system?"

Ms. Cole: "I think the records of the youth services would certainly be pressured to encourage their boards to do this because they are always starving for funds to keep the program going."

Mr. Nisbet: "My question is, would you, as a member of this board, be unduly influenced if it wasn't in the best interest of the child to do this? Would you be unduly influenced to put this system in effect?"

Ms. Cole: "I don't believe I can answer that question. It would depend on the particular situation and that sort of thing. I simply do not think the program replaces community service."

Representatives Nisbet and Struthers spoke against adoption of the amendments, and Representatives Becker, Brekke and Van Dyken spoke in favor of them.

POINT OF INQUIRY

Mr. Nisbet yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Nisbet, we talked the other day about pending legislation or some authority for the counties to levy some type of taxation to support the programs we are giving to them. Do you see, in your committee work in that area, a possibility that if a county

does not get a tax or some sort of revenue coming in to cover these programs, that perhaps this, in fact, would be a user fee that would be given out of the diversion program working in a community?"

Mr. Nisbet: "Representative Stratton, unless there is a source of funding for this passed down to the communities, we won't do anything on that. The only way that we will shift those programs to the local level is if we provide an adequate funding base. Right now the computer runs come out to about .12 of one percent in order to do this. We are also finding as we run the computer runs that, in some cases, counties do not have a sufficient tax base to offset the amount of the programs now; we're now reexamining some of the programs that we would incorporate into this bill, and quite frankly, the juvenile parole portion, for example, is one that we may drop out because of the imbalance as far as county funding is concerned. I can assure you that I am a firm supporter of the diversion program, and we will not harm the program by way of passing these down to the counties."

Mr. Scott spoke in favor of the committee amendments.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsider of the committee amendments to Engrossed Senate bill No. 4733, and the amendments were adopted by the following vote: Yeas, 51; nays, 42; not voting, 5.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Ellis, Eng, Erak, Gallagher, Garson, Greengo, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Fancher, Flanagan, Galloway, Garrett, Granlund, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Tilly, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Berleen, Fiske, Leonard, Salatino, Winsley.

REPORT OF CONFERENCE COMMITTEE

March 18, 1982

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4748, permitting wineries and breweries to conduct courses in beer and wine, have had the same under consideration, and we recommend that the powers of Free Conference be granted in order to consider proposed amendments.

Signed by Senators Quigg, Vogniold, Benitz; Representatives Sanders, Patrick, King (J).

MOTION

On motion of Mr. Sanders, the Conference Committee on Engrossed Senate Bill No. 4748 was granted the powers of Free Conference.

MESSAGES FROM THE SENATE

March 26, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4133, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

March 26, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 4285, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

March 24, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1156 with the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Section 1. PURPOSE. The legislature finds that expansion of a cultural tourism would attract new visitors to our state and aid the development of a nonpolluting industry. The creation or renovation, and operation of cultural arts, stadium and convention facilities benefiting all the citizens of this state would enhance the recreational industry's ability to attract such new visitors. The additional income and employment resulting therefrom would strengthen the economic base of the state.

It is declared that the construction, modification, renovation, and operation of facilities for cultural arts, stadium and convention uses will enhance the progress and economic growth of this state. The continued growth and development of this recreational industry provides for the general welfare and is an appropriate matter of concern to the people of the state of Washington.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly indicates otherwise, for the purposes of this chapter the following definitions shall apply:

(1) 'Cultural arts, stadium and convention district,' or 'district,' means a quasi municipal corporation of the state of Washington created pursuant to this chapter.

(2) 'Component city' means an incorporated city within a public cultural arts, stadium and convention benefit area.

(3) 'City' means any city or town.

(4) 'City council' means the legislative body of any city.

(5) 'Municipality' means a port district, public school district or community college district.

NEW SECTION. Sec. 3. CULTURAL ARTS, STADIUM AND CONVENTION DISTRICT—
CREATION. (1) The process to create a cultural arts, stadium and convention district may be initiated by:

(a) The adoption of a resolution by the county legislative authority calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district; or

(b) The governing bodies of two or more cities located within the same county adopting resolutions calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of such a district: PROVIDED, That this method may not be used more frequently than once in any twelve month period in the same county; or

(c) The filing of a petition with the county legislative authority, calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district, that is signed by at least ten percent of the registered voters residing in the proposed district at the last general election. Such signatures will be certified by the county auditor or the county elections department.

(2) Within sixty days of the adoption of such resolutions, or presentation of such a petition, the county legislative authority shall hold a public hearing on the proposed creation of such a district. Notice of the hearing shall be published at least once a week for three consecutive weeks in one or more newspapers of general circulation within the proposed boundaries of the district. The notice shall include a general description and map of the proposed boundaries. Additional notice shall also be mailed to the governing body of each city and municipality located all or partially within the proposed district. At such hearing, or any continuation thereof, any interested party may appear and be heard on the formation of the proposed district.

The county legislative authority shall delete the area included within the boundaries of a city from the proposed district if prior to the public hearing the city submits to the county legislative authority a copy of an adopted resolution requesting its deletion from the proposed district. The county legislative authority may delete any other areas from the proposed boundaries. Additional territory may be included within the proposed boundaries, but only if such inclusion is subject to a subsequent hearing, with notice provided in the same manner as for the original hearing.

(3) A proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district within two years of the adoption of a resolution providing for such submittal by the county legislative authority at the conclusion of such hearings. The resolution shall establish the boundaries of the district and include a finding that the creation of the district is in the public interest and that the area included within the district can reasonably be expected to benefit from its creation. No portion of a city may be included in such a district unless the entire city is included. The boundaries of such a district shall follow school district or community college boundaries in as far as practicable.

(4) The proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district at the next general election held sixty or more days after the adoption of the resolution. The district shall be created upon approval of the proposition by simple majority vote. The ballot proposition submitted to the voters shall be in substantially the following form:

FORMATION OF CULTURAL ARTS, STADIUM AND CONVENTION
DISTRICT.....

Shall a cultural arts, stadium and convention district be established for the area described in a resolution of the legislative authority of county, adopted on the day of, 19..?

NEW SECTION. Sec. 4. MULTI-COUNTY DISTRICT—CREATION. A joint hearing by the legislative authorities of two or more counties on the proposed creation of a cultural arts, stadium and convention district including areas within such counties may be held as provided herein:

(1) The process to initiate such a hearing shall be identical with the process provided in section 3(1) of this amendatory act, except a resolution of all the legislative authorities of each county with territory proposed to be included shall be necessary.

(2) No territory may be added to or deleted from such a proposed district, except by action of the county legislative authority of the county within whose boundaries the territory lies pursuant to the process provided in section 3 of this amendatory act.

(3) The resolutions shall each contain identical provisions concerning the governing body, as delineated in section 5 of this amendatory act.

NEW SECTION. Sec. 5. GOVERNING BODY. The number of persons on the governing body of the district and how such persons shall be selected and replaced shall be included in the resolution of the county legislative authority providing for the submittal of the proposition to create the district to the voters. Members of the governing body may only consist of a combination of city council members or mayors of the city or cities included within the district, members of the county legislative authority, the county executive of a county operating under a home rule charter, elected members of the governing bodies of municipalities located within the district, and members of the board of regents of a community college district. No governing body may consist of more than nine members. The resolution may also provide for additional, ex officio, nonvoting members consisting of elected officials or appointed officials from the counties, cities, or municipalities which are located all or partially within the boundaries of such a district and who do not have elected or appointed officials sitting on the governing body.

Any member of the governing body, or any ex officio member, who is not an elective official whose office is a full-time position may be reimbursed for reasonable expenses actually incurred in attending meetings or engaging in other district business as provided in RCW 42.24.090.

NEW SECTION. Sec. 6. COMPREHENSIVE PLAN—DEVELOPMENT—ELEMENTS. The cultural arts, stadium and convention district, as authorized in this chapter, shall develop a comprehensive cultural arts, stadium and convention plan for the district. Such plan shall include, but not be limited to the following elements:

(1) The levels of cultural arts, stadium and convention services that can be reasonably provided for various portions of the district.

(2) The funding requirements, including local tax sources or federal funds, necessary to provide various levels of service within the district.

(3) The impact of such a service on other cultural arts, stadium and convention systems operating within that county or adjacent counties.

NEW SECTION. Sec. 7. COMPREHENSIVE PLAN—REVIEW—APPROVAL OR DISAPPROVAL—RESUBMISSION. The comprehensive cultural arts, stadium and convention plan adopted by the district shall be reviewed by the state planning and community affairs agency, or its successor, to determine:

(1) Whether the plan will enhance the progress of the state and provide for the general welfare of the population; and

(2) Whether such plan is eligible for matching federal funds.

After reviewing the comprehensive cultural arts, stadium and convention plan, the state planning and community affairs agency, or its successor, shall have sixty days in which to approve such plan and to certify to the state treasurer that such district shall be eligible to receive funds. To be approved a plan shall provide for coordinated cultural arts, stadium and convention planning, and be consistent with the public cultural arts, stadium and convention coordination criteria in a manner prescribed by chapter 35.60 RCW. In the event such comprehensive plan is disapproved and ruled ineligible to receive funds, the state planning and community affairs agency, or its successor, shall provide written notice to the district within thirty days as to the reasons for such plan's disapproval and such ineligibility. The district may resubmit such plan upon reconsideration and correction of such deficiencies cited in such notice of disapproval.

NEW SECTION. Sec. 8. ANNEXATION ELECTION. An election to authorize the annexation of contiguous territory to a cultural arts, stadium and convention district may be submitted to the voters of the area proposed to be annexed upon the passage of a resolution of the governing body of the district. Approval by simple majority vote shall authorize such annexation.

NEW SECTION. Sec. 9. DISTRICT AS QUASI MUNICIPAL CORPORATION—GENERAL POWERS. A cultural arts, stadium and convention district is a quasi municipal corporation, an independent taxing 'authority' within the meaning of Article VII, section 1, of the state Constitution, and a 'taxing district' within the meaning of Article VII, section 2, of the state Constitution. A district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purpose. In addition to the powers specifically granted by this chapter, a district shall have all powers which are necessary to carry out the purposes of this chapter. A cultural arts, stadium and convention district may contract with the United States or any agency thereof, any state or agency thereof, any other cultural arts, stadium and convention district, any county, city, metropolitan municipal corporation, special district, or governmental agency, within or without the state, and any private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction or renovation or operation of cultural arts, stadium and convention facilities. In addition, a district may contract with any governmental agency or with any private person, firm or corporation for the use by

either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased or held by the other party and for the purpose of planning, constructing or operating any facility or performing any service which the cultural arts, stadium and convention district may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties. Before any contract for the lease or operation of any cultural arts, stadium and convention district facilities shall be let to any private person, firm or corporation, competitive bids shall be called upon such notice, bidder qualifications and bid conditions as the district shall determine.

A district may sue and be sued in its corporate capacity in all courts and in all proceedings.

NEW SECTION. Sec. 10. ADDITIONAL POWERS. The governing body of a cultural arts, stadium and convention district shall have the following powers in addition to the general powers granted by this chapter:

(1) To prepare, adopt and carry out a general comprehensive plan for cultural arts, stadium and convention service which will best serve the residents of the district and to amend said plan from time to time to meet changed conditions and requirements.

(2) To acquire by purchase, gift or grant and to lease, convey, construct, add to, improve, replace, repair, maintain, and operate cultural arts, stadium and convention facilities and properties within the district, including portable and mobile facilities and parking facilities and properties and such other facilities and properties as may be necessary for passenger and vehicular access to and from such facilities and properties, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities. Cultural arts, stadium and convention facilities and properties which are presently owned by any component city, county or municipality may be acquired or used by the district only with the consent of the legislative authority, council or governing body of the component city, county or municipality owning such facilities. A component city, county or municipality is hereby authorized to convey or lease such facilities to a district or to contract for their joint use on such terms as may be fixed by agreement between the component city, county or municipality and the district, without submitting the matter to the voters of such component city, county or municipality.

(3) To fix rates and charges for the use of such facilities.

NEW SECTION. Sec. 11. ISSUANCE OF GENERAL OBLIGATION BONDS—MATURITY—METHODS OF PAYMENT. To carry out the purpose of this chapter, any cultural arts, stadium and convention district shall have the power to issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to three-eighths of one percent of the value of taxable property within such district, as the term 'value of taxable property' is defined in RCW 39.36.015. A cultural arts, stadium and convention district is additionally authorized to issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to three-fourths of one percent of the value of the taxable property within the district, as the term 'value of taxable property' is defined in RCW 39.36.015, and to provide for the retirement thereof by excess levies when approved by the voters at a special election called for that purpose in the manner prescribed by section 6, Article VIII and section 2, Article VII of the Constitution and by RCW 84.52.056. General obligation bonds may not be issued with a maturity in excess of forty years.

NEW SECTION. Sec. 12. REVENUE BONDS—ISSUANCE, SALE, TERM, PAYMENT. To carry out the purposes of this chapter, the cultural arts, stadium and convention district shall have the power to issue revenue bonds: **PROVIDED**, That the district governing body shall create or have created a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the governing body may obligate the district to pay such amounts of the gross revenue of all or any part of the facilities constructed, acquired, improved, repaired or replaced pursuant to this chapter, as the governing body shall determine: **PROVIDED FURTHER**, That the principal of and interest on such bonds shall be payable only out of such special fund or funds, and the owners and holders of such bonds shall have a lien and charge against the gross revenue pledged to such fund.

The governing body of a district shall have such further powers and duties in carrying out the purposes of this chapter as provided in RCW 67.28.160.

NEW SECTION. Sec. 13. CULTURAL ARTS, STADIUM AND CONVENTION DISTRICT TAX LEVIES. The governing body of a cultural arts, stadium and convention district may levy or cause to levy the following ad valorem taxes:

(1) A regular ad valorem property tax levy in an amount equal to twenty-five cents or less per thousand dollars of the assessed value of property in the district in each year for six consecutive years. This six year levy must be approved by a majority of at least three-fifths of the electors thereof voting on the proposition, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty percentum of the total votes cast in such taxing district at the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting yes on the proposition exceeds forty percentum of the total votes cast in such taxing district in the last preceding general election.

In the event cultural arts, stadium and convention districts are levying property taxes, which in combination with property taxes levied by other taxing districts result in taxes in excess of the one percent limitation provided for in Article VII, section 2, of our state Constitution, the cultural arts, stadium and convention district property tax levy shall be reduced or eliminated before the property tax levies of other taxing districts are reduced: **PROVIDED**, That no cultural arts, stadium, and convention district may pledge anticipated revenues derived from the property tax herein authorized as security for payments of bonds

issued pursuant to subsection (1) of this section: PROVIDED, FURTHER, That such limitation shall not apply to property taxes approved pursuant to subsections (2) and (3) of this section.

The limitation in RCW 84.55.010 shall apply to levies after the first levy authorized under this section following the approval of such levy by voters pursuant to this section.

(2) An annual excess ad valorem property tax for general district purposes when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.052.

(3) Multi-year excess ad valorem property tax levies used to retire general obligation bond issues when authorized by the district voters in the manner prescribed by section 2, Article VII of the Constitution and by RCW 84.52.056.

The district shall include in its regular property tax levy for each year a sum sufficient to pay the interest and principal on all outstanding general obligation bonds issued without voter approval pursuant to section 11 of this amendatory act and may include a sum sufficient to create a sinking fund for the redemption of all outstanding bonds.

NEW SECTION. Sec. 14. CONTRIBUTION OF SUMS FOR EXPENSES. The county or counties and each component city included in the district collecting or planning to collect the hotel/motel tax pursuant to RCW 67.28.180 may contribute such revenue towards the expense for maintaining and operating the cultural arts, stadium and convention system in such manner as shall be agreed upon between them.

NEW SECTION. Sec. 15. TREASURER AND AUDITOR—BOND—DUTIES—FUNDS—DEPOSITARIES. Unless the cultural arts, stadium and convention district governing body, by resolution, designates some other person having experience in financial or fiscal matters as treasurer of the district, the treasurer of the county in which a cultural arts, stadium and convention district is located shall be ex officio treasurer of the district: PROVIDED, That in the case of a multicounty cultural arts, stadium and convention district, the county treasurer of the county with the greatest amount of area within the district shall be the ex officio treasurer of the district. The district may, and if the treasurer is not a county treasurer shall, require a bond for such treasurer with a surety company authorized to do business in the state of Washington, in an amount and under the terms and conditions as agreed to by the district, by resolution, in such amount from time to time which will protect the authority against loss. The premium on any such bond shall be paid by the authority.

All district funds shall be paid to the treasurer and shall be disbursed by the treasurer only on warrants issued by an auditor appointed by the district, upon orders or vouchers approved by the governing body. The treasurer shall establish a 'cultural arts, stadium and convention fund,' into which shall be paid district funds as provided in section 14 of this amendatory act and the treasurer shall maintain such special funds as may be created by the governing body into which said treasurer shall place all moneys as the governing body may, by resolution, direct.

If the treasurer of the district is a treasurer of the county, all district funds shall be deposited with the county depository under the same restrictions, contracts, and security as provided for county depositories; the county auditor of such county shall keep the records of the receipts and disbursements, and shall draw, and such county treasurer shall honor and pay all warrants, which shall be approved before issuance and payment as directed by the district.

NEW SECTION. Sec. 16. DISSOLUTION AND LIQUIDATION. A cultural arts, stadium and convention district established in accordance with this chapter shall be dissolved and its affairs liquidated when so directed by a majority of persons in the district voting on such question. An election placing such question before the voters may be called in the following manner:

- (1) By resolution of the cultural arts, stadium and convention district governing authority;
- (2) By resolution of the county legislative body or bodies with the concurrence therein by resolution of the city council of a component city; or
- (3) By petition calling for such election signed by at least ten percent of the qualified voters residing within the district filed with the auditor of the county wherein the largest portion of the district is located. The auditor shall examine the same and certify to the sufficiency of the signatures thereon: PROVIDED, That to be validated, signatures must have been collected within a ninety-day period as designated by the petition sponsors.

With dissolution of the district, any outstanding obligations and bonded indebtedness of the district shall be satisfied or allocated by mutual agreement to the county or counties and component cities of the cultural arts, stadium and convention district.

Sec. 17. Section 84.52.052, chapter 15, Laws of 1961 as last amended by section 20, chapter 210, Laws of 1981 and RCW 84.52.052 are each amended to read as follows:

The limitations imposed by RCW 84.52.050 through 84.52.056, and RCW 84.52.043 shall not prevent the levy of additional taxes by any taxing district except school districts in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city, or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056 and RCW 84.52.043, or RCW 84.55.010 through 84.55.050, when authorized so to do by the electors of such county, metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city, (or) town, or cultural arts, stadium and convention district in the manner set forth in Article VII, section 2(a) of the Constitution of

this state, as amended by Amendment 64 and as thereafter amended, at a special or general election to be held in the year in which the levy is made.

A special election may be called and the time thereof fixed by the county legislative authority, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation service area, park and recreation district, sewer district, water district, public hospital district, road district, rural county library district, intercounty rural library district, fire protection district, cemetery district, city ((or)), town, or cultural arts, stadium and convention district, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote 'yes' and those opposed thereto to vote 'no'.

NEW SECTION. Sec. 18. LEGISLATIVE DIRECTIVE. Sections 1 through 17 of this amendatory act are added to Title 67 RCW as a new chapter thereof.

NEW SECTION. Sec. 19. CAPTIONS NOT LAW. Section captions as used in this amendatory act shall not be construed as and do not constitute any part of the law.

NEW SECTION. Sec. 20. There is added to chapter 35.21 RCW a new section to read as follows:

Any city with a population of twenty-five thousand or more, but less than four hundred thousand, may impose a special excise tax of up to three percent on the sale or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, or trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, except that no such tax may be levied on any premises having fewer than fifteen lodging units. It shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes rental or lease of real property and not a mere license to use or enjoy the same. The proceeds of this tax may only be used to fund the acquisition, design, and construction of convention or trade facilities.

This tax is in addition to the sales taxes that cities are authorized to impose in chapter 82.14 RCW and RCW 67.28.180. The tax shall not be a deduction from sales taxes imposed by the state.

Any city imposing the sales tax authorized in this section may contract with the state department of revenue for its collection and distribution as provided in chapter 82.14 RCW for the collection and distribution of general sales taxes imposed by cities.

NEW SECTION. Sec. 21. SEVERABILITY. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Isaacson, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 1156.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the questions before the House to be the final passage of Engrossed Substitute House Bill No. 1156 as amended by the Senate.

Mr. Addison spoke against passage of the bill, and Representatives Flanagan and Hine spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1156 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 23; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brown, Chamberlain, Chandler, Cole, Eberle, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., King R., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rosbach, Rust, Sanders, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Brekke, Burns, Cantu, Clayton, Dawson, Dickie, Ehlers, Eng, Garrett, Grimm, James, Kaiser, Lundquist, Nelson D., Padden, Pruitt, Rinehart, Schmidt, Sommers, Walk, Wilson.

Not voting: Representatives Berleen, Fiske, Leonard, Salatino, Winsley.

Engrossed Substitute House Bill No. 1156 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Struthers, the House adjourned until 12:00 noon, Monday, the 18th Legislative Day, March 29, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

EIGHTEENTH DAY

NOON SESSION

House Chamber, Olympia, Wash., Monday, March 29, 1982.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representative King (R), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Phillip Hampton and Brett Barnts. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 29, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4133,
SUBSTITUTE SENATE BILL NO. 4285,
SUBSTITUTE SENATE BILL NO. 4824,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

March 26, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4640,
ENGROSSED SENATE BILL NO. 4992,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGES FROM THE GOVERNOR

March 26, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise that on March 26, 1982, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 40: Relating to public disclosure;
SUBSTITUTE HOUSE BILL NO. 259: Relating to energy conservation;
HOUSE BILL NO. 375: Relating to automotive repair;
HOUSE BILL NO. 454: Relating to industrial insurance;
SUBSTITUTE HOUSE BILL NO. 476: Relating to public records;
HOUSE BILL NO. 844: Relating to the collection of public debts by collection agencies;
SUBSTITUTE HOUSE BILL NO. 871: Relating to funeral directors;
HOUSE BILL NO. 934: Relating to credit unions;
HOUSE BILL NO. 942: Relating to the commission on Asian-American affairs;
HOUSE BILL NO. 1017: Relating to camping clubs.

Sincerely,
Marilyn Showalter, Counsel.

March 29, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 27, 1982, Governor Spellman approved the following House Bills, entitled:

HOUSE BILL NO. 457: Relating to common carriers;
 HOUSE BILL NO. 765: Relating to revenue and taxation;
 SECOND SUBSTITUTE HOUSE BILL NO. 828: Relating to victims of crime;
 SUBSTITUTE HOUSE BILL NO. 840: Relating to sales tax exemption permit fees;
 HOUSE BILL NO. 854: Relating to motor vehicle fuel excise tax;
 HOUSE BILL NO. 955: Relating to public hospital districts;
 SUBSTITUTE HOUSE BILL NO. 1063: Relating to alcoholic beverages;
 HOUSE BILL NO. 1074: Relating to financial institutions;
 HOUSE BILL NO. 1084: Relating to state board of education membership;
 HOUSE BILL NO. 1144: Relating to jails;
 HOUSE BILL NO. 1174: Relating to elections costs for major public energy projects.

Sincerely,
 Marilyn Showalter, Counsel.

March 27, 1982

To The Honorable,
 The House of Representatives
 of the State of Washington
 Ladies and Gentlemen:

I am returning herewith without my approval as to Section 1(1)(b), SECOND SUBSTITUTE HOUSE BILL NO. 987, entitled: "An Act Relating to school district employees."

This section would prohibit school boards from paying school employees for unused vacation leave.

Since other state employees are not similarly restricted, it is inequitable to single out one group of employees for differential treatment. Any reform in this area should be uniform.

With the exception of Section 1(1)(b), which I have vetoed, the remainder of Second Substitute House Bill No. 987 is approved.

Respectfully submitted,
 JOHN SPELLMAN, Governor.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4133,
 SUBSTITUTE SENATE BILL NO. 4285,
 SUBSTITUTE SENATE BILL NO. 4824.

The Speaker declared the House to be at ease until 4:00 p.m.

The Speaker called the House to order at 4:00 p.m.

REPORTS OF STANDING COMMITTEES

On motion of Mr. Nelson (G), HOUSE BILL NO. 784 was rereferred from Committee on Rules to Committee on Ways and Means.

March 26, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, Prime Sponsor: Committee on Commerce and Labor, modifying provisions relating to unemployment compensation. Reported by Committee on Labor and Economic Development.

MAJORITY recommendation: Do pass with the following amendments:

On page 9, after line 21 insert the following:

*Sec. 6. Section 73, chapter 35, Laws of 1945 as last amended by section 4, chapter 35, Laws of 1981 and RCW 50.20.050 are each amended to read as follows:

(1) An individual shall be disqualified from benefits beginning with the first day of the calendar week in which he or she has left work voluntarily without good cause and thereafter until he or she has obtained bona fide work and earned wages of not less than his or her suspended weekly benefit amount in each of five calendar weeks.

The disqualification shall continue if the work obtained is a mere sham to qualify for benefits and is not bona fide work. In determining whether work is of a bona fide nature, the commissioner shall consider factors including but not limited to the following:

- (a) The duration of the work;
 - (b) The extent of direction and control by the employer over the work; and
 - (c) The level of skill required for the work in light of the individual's training and experience.
- (2) An individual shall not be considered to have left work voluntarily without good cause when:

(a) He or she has left work to accept a bona fide offer of bona fide work as described in subsection (1) of this section; or

(b) The separation was because of the illness or disability of the claimant or the death, illness, or disability of a member of the claimant's immediate family if the claimant took all reasonable precautions, in accordance with any regulations that the commissioner may prescribe, to protect his or her employment status by having promptly notified the employer of the reason for the absence and by having promptly requested reemployment when again able to assume employment: PROVIDED, That these precautions need not have been taken when they would have been a futile act, including those instances when the futility of the act was a result of a recognized labor/management dispatch system.

(3) In determining under this section whether an individual has left work voluntarily without good cause, the commissioner shall only consider work-connected factors such as the degree of risk involved to the individual's health, safety, and morals, the individual's physical fitness for the work, the individual's ability to perform the work, and such other work connected factors as the commissioner may deem pertinent, including state and national emergencies. Good cause shall not be established for voluntarily leaving work because of its distance from an individual's residence where the distance was known to the individual at the time he or she accepted the employment and where, in the judgment of the department, the distance is customarily traveled by workers in the individual's job classification and labor market, nor because of any other significant work factor which was generally known and present at the time he or she accepted employment, unless the related circumstances have so changed as to amount to a substantial involuntary deterioration of the work factor or unless the commissioner determines that other related circumstances would work an unreasonable hardship on the individual were he or she required to continue in the employment.

(4) Subsections (1) and (3) of this section shall not apply to an individual whose marital status or domestic responsibilities cause him or her to leave employment. Such an individual shall not be eligible for unemployment insurance benefits until he or she has requalified, either by obtaining bona fide work and earning wages of not less than the suspended weekly benefit amount in each of five calendar weeks or by reporting in person to the department during ten different calendar weeks and certifying on each occasion that he or she is ready, able, and willing to immediately accept any suitable work which may be offered, is actively seeking work pursuant to customary trade practices, and is utilizing such employment counseling and placement services as are available through the department."

Renumber the sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after "50.12.200;" insert "amending section 73, chapter 35, Laws of 1945 as last amended by section 4, chapter 35, Laws of 1981 and RCW 50.20.050;"

Signed by Representatives Sanders, Chairman; Patrick, Vice Chairman; King (J), Ranking Minority Member; Barr, Barrett, Brekke, Brown, Clayton, Cole, Eberle, Flanagan, Garrett, Hankins, Lux, Monohon, Smith.

Passed to Committee on Rules for second reading.

March 26, 1982

SUBSTITUTE SENATE BILL NO. 4609, Prime Sponsor: Committee on Transportation, revising laws governing labor relations for ferry workers. Reported by Committee on Transportation.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

***NEW SECTION.** Section 1. PUBLIC POLICY. The legislature declares that it is the public policy of the state of Washington to: (1) Provide continuous operation of the Washington state ferry system at reasonable cost to users; (2) efficiently provide levels of ferry service consistent with trends and forecasts of ferry usage; (3) promote harmonious and cooperative relationships between the ferry system and its employees by permitting ferry employees to organize and bargain collectively; (4) protect the citizens of this state by assuring effective and orderly operation of the ferry system in providing for their health, safety, and welfare; (5) prohibit and prevent all strikes or work stoppages by ferry employees; (6) protect the rights of ferry employees with respect to employee organizations; and (7) promote equality in compensation, benefits, and working conditions between ferry system employees, private sector employees within the state, and other Washington state employees in directly comparable positions.

NEW SECTION. Sec. 2. DEFINITIONS. As used in this chapter, unless the context otherwise requires, the definitions in this section shall apply.

(1) 'Arbitration' means the procedure whereby the parties involved in an impasse submit their differences to a third party for a final and binding decision or as provided in this chapter.

(2) 'Arbitrator' means either a single arbitrator or a panel of three arbitrators as provided in section 14' of this act.

(3) 'Collective bargaining representative' means the persons designated by the secretary of transportation and employee organizations to be the exclusive representatives during collective bargaining negotiations.

(4) 'Department of transportation' means the department as defined in RCW 47.01.021.

(5) 'Ferry employee' means any employee of the marine transportation division of the department of transportation who is a member of a collective bargaining unit represented by a ferry employee organization and shall not include an exempt employee pursuant to RCW 41.06.079.

(6) 'Ferry employee organization' means any labor organization recognized to represent a collective bargaining unit of ferry employees.

(7) 'Ferry system management' means those management personnel of the marine transportation division of the department of transportation who have been vested with the day-to-day management responsibilities of the Washington state ferry system by the transportation commission and who are not members of a collective bargaining unit represented by a ferry employee organization.

(8) 'Lockout' means the refusal of ferry system management to furnish work to ferry employees in an effort to get ferry employee organizations to make concessions during collective bargaining, grievance, or other labor relation negotiations. Curtailment of employment of ferry employees due to lack of work resulting from a strike or work stoppage, as defined in subsection (11) of this section, shall not be considered a lockout.

(9) 'Marine employees' commission' means the commission created in section 18 of this act.

(10) 'Office of financial management' means the office as created in RCW 43.41.050.

(11) 'Strike or work stoppage' means a ferry employee's refusal, in concerted action with others, to report to duty, or his or her wilful absence from his or her position, or his or her stoppage or slowdown of work, or his or her abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of his, her, or any other ferry employee's employment. A refusal, in good faith, to work under conditions which pose an endangerment to the health and safety of ferry employees or the public, as determined by the master of the vessel, shall not be considered a strike for the purposes of this chapter.

(12) 'Transportation commission' means the commission as defined in RCW 47.01.021.

NEW SECTION. Sec. 3. SCOPE OF NEGOTIATIONS. Ferry system management and ferry system employee organizations, through their collective bargaining representatives, shall meet at reasonable times, to negotiate in good faith with respect to wages, hours, working conditions, automatic employee deductions, insurance, and health care benefits as limited by section 17 of this act, and other matters mutually agreed upon. Employer funded retirement benefits shall be provided under the public employees retirement system under chapter 41.40 RCW and shall not be included in the scope of collective bargaining. Negotiations shall also include grievance procedures for resolving any questions arising under the agreement, which shall be embodied in a written agreement and signed by the parties. The payroll statement for ferry employees shall set forth the full amount of any automatic employee deduction and the full amount of any employer contribution to insurance and health care plans for such employees.

NEW SECTION. Sec. 4. UNFAIR LABOR PRACTICES FOR EMPLOYER, EMPLOYEE ORGANIZATION, ENUMERATED. (1) It is an unfair labor practice for ferry system management or its representatives:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it;

(c) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with the representatives of its employees.

(2) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce (i) employees in the exercise of the rights guaranteed by this chapter: **PROVIDED**, That this paragraph does not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership therein, or (ii) an employer in the selection of his representatives for the purposes of collective bargaining or the adjustment of grievances;

(b) To refuse to bargain collectively with an employer, when it is the representative of its employees subject to section 8 of this act.

(3) The expression of any view, argument, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

NEW SECTION. Sec. 5. STRIKES, WORK STOPPAGES, AND LOCKOUTS PROHIBITED. (1) It is unlawful for any ferry system employee or any employee organization, directly or indirectly, to induce, instigate, encourage, authorize, ratify, or participate in a strike or work stoppage against the ferry system.

(2) It is unlawful for ferry system management to authorize, consent to, or condone a strike or work stoppage; or to conduct a lockout; or to pay or agree to pay any ferry system employee for any day in which the employee participates in a strike or work stoppage; or to pay or agree to pay any increase in compensation or benefits to any ferry system employee in response to or as a result of any strike or work stoppage or any act which violates subsection (1) of this section. It is unlawful for any official, director, or representative of the ferry system to authorize, ratify, or participate in any violation of this subsection. Nothing in this subsection prevents new or renewed bargaining and agreement within the scope of negotiations as defined by this chapter, at any time. No collective bargaining agreement provision regarding suspension or modification of any court-ordered penalty provided in this section shall be binding on the courts.

(3) In the event of any violation or imminently threatened violation of subsection (1) or (2) of this section, any citizen domiciled within the jurisdictional boundaries of the state may petition the superior court of any county in which the violation has occurred or is imminently threatened for an injunction restraining such

violation or imminently threatened violation. Rules of civil procedure regarding injunctions shall apply. However, the court shall grant a temporary injunction if it appears to the court that a violation has occurred or is imminently threatened; the plaintiff need not show that the violation or threatened violation would greatly or irreparably injure him or her; and no bond shall be required of the plaintiff unless the court determines that a bond is necessary in the public interest. Failure to comply with any temporary or permanent injunction granted pursuant to this section shall constitute a punishable contempt. The punishment shall not exceed ten thousand dollars for an employee organization or the ferry system, for each day during which the failure to comply continues, or imprisonment in a county jail for officials thereof not exceeding six months, or both such fine and imprisonment. The punishment for a ferry employee found to be in contempt shall be as provided in chapter 7.20 RCW, except that the fine fixed by the court may be in an amount up to but not exceeding three hundred dollars for each day during which the ferry employee participates or engages in a strike or work stoppage. An individual or an employee organization which makes an active good faith effort to comply fully with the injunction shall not be deemed to be in contempt.

(4) Every person sustaining any loss which is directly caused by a strike or other work stoppage by employees of the Washington state ferries is entitled to recover for such loss against the employees engaged in such strike or work stoppage and against any ferry employee organization organizing or otherwise participating in such strike or work stoppage. Neither the state nor the ferry system may be a party in any suit brought pursuant to this subsection.

(5) No ferry system employee may engage in a strike or work stoppage or work slowdown.

(6) Each of the remedies and penalties provided by this section is separate and several, and is in addition to any other legal or equitable remedy or penalty.

(7) Every person sustaining any loss which is directly caused by a lockout by the Washington state ferries is entitled to recover for such loss against the state ferry system. Neither individual ferry employees nor any ferry employee organization may be a party in any suit brought pursuant to this subsection.

(8) In addition to the remedies and penalties provided by this section the successful litigant shall be entitled to recover reasonable attorney fees and costs incurred in the litigation.

NEW SECTION. Sec. 6. UNION SECURITY PROVISIONS—SCOPE—AGENCY SHOP PROVISION, COLLECTION OF DUES OR FEES. A collective bargaining agreement may include union security provisions, but not a union or closed shop. At any time after an agency shop provision is agreed to, members of any bargaining unit may decertify the unit by the majority vote of the members. Such vote shall be conducted by the marine employees' commission not less than one month nor more than two months after a petition requesting such a vote and signed by thirty percent of the members is filed with the marine employees' commission. Upon decertification, agency shop status shall immediately terminate and may not be included in any future bargaining agreement without the approval of a majority of the employees who would be members of the proposed bargaining unit. All union security provisions shall safeguard the right of nonassociation of employees based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member. Such employee shall pay an amount of money equivalent to regular dues and fees to a nonreligious charity or to another charitable organization mutually agreed upon by the employee affected and the bargaining representative to which such employee would otherwise pay the dues and fees. The employee shall furnish written proof that such payment has been made. If the employee and the bargaining representative do not reach agreement on such matter, the commission shall designate the charitable organization.

NEW SECTION. Sec. 7. GRIEVANCE PROCEDURES. An agreement with a ferry employee organization which is the exclusive representative of ferry employees in an appropriate unit may provide procedures for the consideration of ferry employee grievances and of disputes over the interpretation and application of agreements. Negotiated procedures may provide for binding arbitration of ferry employee grievances and of disputes over the interpretation and application of existing agreements. An arbitrator's decision on a grievance may not change or amend the terms, conditions, or applications of the collective bargaining agreement. Such procedures shall provide for the invoking of arbitration only with the approval of the employee organization. The costs of arbitrators shall be shared equally by the parties.

Ferry system employees shall follow either the grievance procedures provided in a collective bargaining agreement, or in the event that no such procedures are so provided, shall submit such grievances to the marine employees' commission as provided in section 18 of this act.

NEW SECTION. Sec. 8. COLLECTIVE BARGAINING PROCEDURES. (1) Any ferry employee organization certified as the bargaining representative shall be the exclusive representative of all ferry employees in the bargaining unit and shall represent all such employees fairly.

(2) All ferry employee organizations shall collectively designate an individual or individuals as their representative to engage in collective bargaining negotiations with the representative or representatives designated by the secretary of transportation.

(3) Negotiating sessions, including strategy meetings of ferry system management or employee organizations, mediation, and the deliberative process of arbitrators are exempt from the provisions of chapter 42.30 RCW. Hearings conducted by arbitrators may be open to the public by mutual consent of the parties. Any meeting of the transportation commission, during which a collective bargaining agreement is subject to ratification, shall be open to the public.

(4) Terms of any collective bargaining agreement may be enforced by civil action in Thurston county superior court upon the initiative of either party.

(5) Ferry system employees or any employee organization shall not negotiate or attempt to negotiate directly with a member of the transportation commission if the commission has appointed or authorized a

bargaining representative for the purpose of bargaining with the ferry employees or their representative, unless the member of the commission is the designated bargaining representative of the ferry system.

(6) The negotiation of a proposed collective bargaining agreement by the representative or representatives of management and the representative or representatives designated by all the organizations representing ferry employees to represent them collectively shall commence in each odd-numbered year immediately following adoption by the legislature and approval by the governor of the biennial budget.

(7) Until a new collective bargaining agreement is negotiated, or until an award is made by the arbitrator, the terms and conditions of the previous collective bargaining agreement shall remain in force. The wage and benefit provisions of any collective bargaining agreement, or arbitrator's award in lieu thereof, which is concluded after July 1st of an odd-numbered year shall be retroactive to July 1st. It is the intent of this section that the collective bargaining agreement or arbitrator's award shall commence on July 1st of each odd-numbered year and shall terminate on June 30th of the next odd-numbered year to coincide with the ensuing biennial budget year, as defined by RCW 43.88.020(7), to the extent practical.

(8) Any ferry union contract terminating prior to July 1, 1983, shall, with the agreement of the parties, remain in effect until a contract can be concluded under sections 1 through 18 of this act. Such contract shall be retroactive to the expiration date of the prior contract, and the cost to the department of three months retroactive compensation and benefits shall not be included in calculating the limitation imposed by section 9 of this act. If the parties cannot agree to contract extension, any increase agreed to for the three month period shall be included in calculating the limit imposed by section 9 of this act.

(9) Any ferry union contract which would terminate after July 1, 1983, may, by agreement of the parties, be terminated as of July 1, 1983, and a new contract concluded pursuant to sections 1 through 18 of this act. Any contract terminating after July 1, 1983, shall be subject to this act only upon its expiration and shall not be renewed for a period beyond July 1, 1985.

NEW SECTION. Sec. 9. AGREEMENTS AND AWARDS LIMITED BY APPROPRIATION. (1) No collective bargaining agreement or arbitrator's award or combination of collective bargaining agreements or arbitrator's awards is valid or enforceable if its implementation would be inconsistent with any statutory limitation on the department of transportation's funds, spending, or budget. The department of transportation shall, in good faith, exercise its administrative discretion with full public participation as required by section 24 of this act, subject only to legislative limitations and conditions, to implement the terms of any collective bargaining agreement or arbitrator's award.

(2) In no event shall the transportation commission or the department of transportation authorize an increase in tolls subsequent to the enactment of the budget which, together with any increase previously adopted within the preceding twelve months, is in excess of the implicit price deflator for the preceding twelve months for the purpose of providing revenue to fund a collective bargaining agreement or arbitrator's award. This subsection shall not apply to fare increases under RCW 47.60.326(4) which are due to increased operating expenses, such as fuel price escalation, which are not labor-related and which are beyond the direct control of the department.

NEW SECTION. Sec. 10. IMPASSE PROCEDURES. As the first step in the performance of their duty to bargain, ferry system management and the employee organization shall endeavor to agree upon impasse procedures. Such agreement shall provide for implementation of these impasse procedures not later than July 1st in each odd-numbered year following enactment of the biennial budget. If the parties fail to agree upon impasse procedures under this section, the impasse procedures provided in sections 11 through 14 of this act shall apply. It is unlawful for either party to refuse to participate in the impasse procedures provided in sections 11 through 14 of this act.

NEW SECTION. Sec. 11. MEDIATION. In the absence of an impasse agreement between the parties or the failure of either party to utilize its procedures by August 1st in each odd-numbered year, the marine employees' commission shall, upon the request of either party, appoint an impartial and disinterested person to act as mediator pursuant to section 18 of this act. It shall be the function of the mediator to bring the parties together to effectuate a settlement of the dispute, but the mediator may not compel the parties to agree.

NEW SECTION. Sec. 12. FACT-FINDING. Prior to collective bargaining, the marine employees' commission shall conduct a salary survey which shall be a public document comparing wages, hours, employee benefits, and conditions of employment of involved ferry employees with those of private sector employees within the state and Washington state employees doing directly comparable work, giving consideration to factors peculiar to the area and the classifications involved. The commission shall make such other findings of fact as the parties may request during bargaining or impasse.

NEW SECTION. Sec. 13. WAIVER OF MEDIATION AND FACT-FINDING. By mutual agreement, the parties may waive mediation and fact-finding, as provided for in sections 11 and 12 of this act, and proceed with binding arbitration as provided for in section 14 of this act. Such waiver shall be in writing and signed by the representatives of the parties.

NEW SECTION. Sec. 14. BINDING ARBITRATION. (1) If impasse persists fourteen days after the mediator has been appointed, or beyond any other date mutually agreed to by the parties, the dispute shall be submitted to arbitration pursuant to this section, and such arbitration shall be binding upon the parties.

(2) Each party shall submit to the other within four days of request a final offer with proof of service of a copy upon the other party. The final offer shall consist of the party's proposal for a total collective bargaining agreement, excluding those items upon which the parties have reached agreement. Each party shall

also submit a copy of a draft of the proposed collective bargaining agreement to the extent to which agreement has been reached and the name of its selected arbitrator. The parties may continue to negotiate until an agreement is reached or a decision rendered by the panel of arbitrators.

As an alternative procedure, the two parties may agree to submit the dispute to a single arbitrator. If the parties cannot agree on the arbitrator within four days, the selection shall be made pursuant to subsection (4) of this section. The full costs of arbitration under this provision shall be shared equally by the parties to the dispute.

(3) The panel of arbitrators shall consist of three members appointed in the following manner:

(a) One member shall be appointed by the secretary of transportation;

(b) One member shall be appointed by the ferry employee organization;

(c) One member shall be appointed mutually by the members appointed by the secretary of transportation and the employee organization. The last member appointed shall be the chairman of the panel of arbitrators. No member appointed shall be an employee of the parties;

(d) Ferry system management and the employee organization shall each pay the fees and expenses incurred by the arbitrator each selected. The fee and expenses of the chairman of the panel shall be shared equally by each party.

(4) If the third member has not been selected within four days of notification as provided in subsection (2) of this section, a list of seven arbitrators shall be submitted to the parties by the marine employees' commission. The two arbitrators selected by ferry system management and the ferry employee organization shall determine by lot which arbitrator shall remove the first name from the list submitted by the marine employees' commission. The second arbitrator and the first arbitrator shall alternately remove one additional name until only one name remains. The person whose name remains shall become the chairman of the panel of arbitrators and shall call a meeting within thirty days, or at such time mutually agreed to by the parties, at a location designated by him or her. In lieu of a list of seven nominees for the third member being submitted by the marine employees' commission, the parties may mutually agree to have either the Federal Mediation and Conciliation Service or the American Arbitration Association submit a list of seven nominees.

(5) If a vacancy occurs on the panel of arbitrators, the selection for replacement of such member shall be in the same manner and within the same time limits as the original member was chosen. No final award under subsection (12) of this section shall be made by the panel until three arbitrators have been chosen.

(6) The panel of arbitrators shall at no time engage in an effort to mediate or otherwise settle the dispute in any manner other than that prescribed in this section.

(7) From the time of appointment until such time as the panel of arbitrators makes its final determination, there shall be no discussion concerning recommendations for settlement of the dispute by the members of the panel of arbitrators with parties other than those who are direct parties to the dispute. The panel of arbitrators may conduct formal or informal hearings to discuss offers submitted by both parties.

(8) The panel of arbitrators shall consider, in addition to any other relevant factors, the following factors:

(a) Past collective bargaining contracts between the parties including the bargaining that led up to such contracts;

(b) Comparison of wages, hours, employee benefits, and conditions of employment of the involved ferry employees with those of private sector employees within the state and Washington state employees doing directly comparable work, giving consideration to factors peculiar to the area and the classifications involved;

(c) The interests and welfare of the public, the ability of the ferry system to finance economic adjustments, and the effect of such adjustments on the normal standard of services;

(d) The right of the legislature to appropriate and to limit funds for the conduct of the ferry system;

(e) The limitations on ferry toll increases and operating subsidies as may be imposed by the legislature; and

(f) The aggregate fiscal effect of all contracts negotiated or arbitrated under this chapter.

(9) The chairman of the panel of arbitrators may hold hearings and administer oaths, examine witnesses and documents, take testimony and receive evidence, issue subpoenas to compel the attendance of witnesses and the production of records, and delegate such powers to other members of the panel of arbitrators. The chairman of the panel of arbitrators may petition the superior court in Thurston county, or any county in which any hearing is held, to enforce the order of the chairman compelling the attendance of witnesses and the production of records.

(10) A majority of the panel of arbitrators shall select within thirty days after its first meeting the most reasonable offer, in its judgment, of the final offers submitted by the parties. The arbitration panel award shall be restricted to the final offer selected by the panel.

(11) The final offer selected by the panel of arbitrators and items agreed upon by the ferry system management and the employee organization shall be deemed to be the collective bargaining agreement between the parties.

(12) The determination of the panel of arbitrators shall be by majority vote and shall be final and binding, subject to section 9 of this act. The panel of arbitrators shall give written explanation for its selection and inform the parties of its decision.

NEW SECTION. Sec. 15. LEGAL ACTIONS. (1) Any ferry employee organization and the department of transportation may sue or be sued as an entity under this chapter. Service upon any party shall be in accordance with law or the rules of civil procedure. Nothing in this chapter shall be construed to make any individual or his assets liable for any judgment against the department of transportation or a ferry employee organization if such individual was acting in his official capacity.

(2) Any legal action by any ferry employee organization or the department of transportation under this chapter shall be filed in Thurston county superior court within ten days of when the cause of action arose. The court shall consider such actions on a priority basis and determine the merits of such actions within thirty days of filing.

NEW SECTION. Sec. 16. NOTICE AND SERVICE. Any notice required under this chapter shall be in writing, but service thereof shall be sufficient if mailed by restricted certified mail, return receipt requested, addressed to the last known address of the parties, unless otherwise provided in this chapter. Refusal of restricted certified mail by any party shall be considered service. Prescribed time periods shall commence from the date of the receipt of the notice. Any party may at any time execute and deliver an acceptance of service in lieu of mailed notice.

NEW SECTION. Sec. 17. INSURANCE AND HEALTH CARE. Absent a collective bargaining agreement to the contrary, the department of transportation shall provide contributions to insurance and health care plans for ferry system employees and dependents, as determined by the state employees' insurance board, pursuant to chapter 41.05 RCW. The ferry system management and employee organizations may collectively bargain for other insurance and health care plans, and employer contributions may exceed that of other state agencies as provided in RCW 41.05.050. However, any amount by which the employer contribution exceeds that provided for other state agencies shall reduce the funds available for compensation purposes, pursuant to section 9 of this act.

NEW SECTION. Sec. 18. MARINE EMPLOYEES' COMMISSION. (1) There is created the marine employees' commission. The governor shall appoint the commission with the consent of the senate. The commission shall consist of three members: One member to be appointed from labor, one member from industry, and one member from the public who has significant knowledge of maritime affairs. The public member shall be chairman of the commission. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members shall be eligible for reappointment. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission. Members of the commission shall be compensated and receive reimbursement for official travel and other expenses at the same rate and on the same terms as provided for the transportation commission by RCW 47.01.061, as now or hereafter amended. Such payments shall be made from the Puget Sound ferry operations account.

(2) The marine employees' commission shall: (a) Adjust all complaints, grievances, and disputes between labor and management arising out of the operation of the ferry system as provided in section 7 of this act; (b) provide for impasse mediation as required in section 11 of this act; (c) conduct fact-finding and provide salary surveys as required in section 12 of this act; and (d) provide for the selection of an impartial arbitrator as required in section 14(4) of this act.

(3) In adjudicating all complaints, grievances, and disputes, the party claiming labor disputes shall, in writing, notify the marine employees' commission who shall make careful inquiry into the cause thereof and issue an order advising the ferry employee, or the ferry employee organization representing him or her, and the department of transportation, as to the decision of the commission.

The parties shall be entitled to offer evidence relating to disputes at all hearings conducted by the commission. The orders and awards of the commission shall be final and binding upon any ferry employee or employees or their representative affected thereby and upon the department.

The commission shall by regulation prescribe its rules of procedure.

The commission shall have the authority to subpoena any ferry employee or employees, or their representatives, and any member or representative of the department, and any witnesses. The commission may require attendance of witnesses and the production of all pertinent records at any hearings held by the commission. The subpoenas of the commission shall be enforceable by order of any superior court in the state of Washington for the county within which such proceeding may be pending.

Sec. 19. Section 5, chapter 39, Laws of 1970 ex. sess. as last amended by section 6, chapter 344, Laws of 1981 and RCW 41.05.050 are each amended to read as follows:

(1) Every department, division, or separate agency of state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the state employees insurance board. Such contributions, which shall be paid by the county, the municipality, or other political subdivision for their employees, shall include an amount determined by the state employee's insurance board to pay the administrative expenses of the board and the salaries and wages and expenses of the benefits supervisor and other necessary personnel: PROVIDED, That this administrative service charge for state employees shall not result in an employer contribution in excess of the amount authorized by the governor and the legislature as prescribed in RCW 41.05.050(2), and that the sum of an employee's insurance premiums and administrative service charge in excess of such employer contribution shall be paid by the employee. All such contributions will be paid into the state employees insurance fund to be expended in accordance with RCW 41.05.030.

(2) The contributions of any department, division, or separate agency of the state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall be set by the state employees insurance board, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose: PROVIDED, That provision for school district personnel

shall not be made under this chapter: PROVIDED FURTHER, That insurance and health care contributions for ferry employees shall be governed by section 17 of this 1982 act.

(3) The trustee with the assistance of the department of personnel shall annually survey private industry and public employers in the state of Washington to determine the average employer contribution for group insurance programs under the jurisdiction of the state employees insurance board. Such survey shall be reported to the board for its use in setting the amount of the recommended employer contribution to the employee insurance benefit program covered by this chapter. The board shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature.

NEW SECTION. Sec. 20. There is added to chapter 41.58 RCW a new section to read as follows:

For any matter concerning the state ferry system and employee relations, collective bargaining, or labor disputes or stoppages, the provisions of chapter 47.64 RCW shall govern.

Sec. 21. Section 46.68.030, chapter 12, Laws of 1961 as last amended by section 9, chapter 342, Laws of 1981 and RCW 46.68.030 are each amended to read as follows:

All fees received by the director for vehicle licenses under the provisions of chapter 46.16 RCW shall be forwarded to the state treasurer, accompanied by a proper identifying detailed report, and be by him deposited to the credit of the motor vehicle fund, except that the proceeds from the vehicle license fee and renewal license fee shall be deposited by the state treasurer as hereinafter provided. After July 1, 1981, that portion of each vehicle license fee in excess of \$7.40 and that portion of each renewal license fee in excess of \$3.40 shall be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal license fees, and all other funds in the state patrol highway account shall be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations therefor, for any fiscal biennium after June 30, 1981, and twenty-seven and three-tenths percent of the proceeds from \$7.40 of each vehicle license fee and \$3.40 of each renewal license fee shall be deposited each biennium in the Puget Sound ferry operations account to partially finance, together with other funds in the account, any budgeted state ferry system maintenance and operating deficit for that biennium. The deficit shall be calculated by subtracting from total costs the sum of all unappropriated funds available to the state ferry system, including revenues from tolls that are adjusted (~~annually~~) by the transportation commission (~~(to correspond with changes in the consumer price index for the city of Seattle pursuant to RCW 47.60.325)~~). Any remaining amounts of vehicle license fees and renewal license fees that are not deposited in the Puget Sound ferry operations account shall be deposited in the motor vehicle fund.

Sec. 22. Section 47.60.310, chapter 13, Laws of 1961 as amended by section 1, chapter 29, Laws of 1977 and RCW 47.60.310 are each amended to read as follows:

(1) The (~~(authority)~~) department is further directed to conduct such review by soliciting and obtaining expressions from local community groups in order to be properly informed as to problems being experienced within the area served by the Washington state ferries. In order that local representation may be established, the (~~(authority)~~) department shall give prior notice of the review to the (~~(board of county commissioners of each county wherein a terminal of the Washington state ferries is located and the board of county commissioners of any other county adjacent to Puget Sound or the Strait of Juan de Fuca which by resolution has notified the authority of its intent to participate in the review)~~) legislative authorities of Clallam, Island, Jefferson, King, Kitsap, Pierce, San Juan, Skagit, and Snohomish counties.

(2) Each such (~~(board of)~~) county (~~(commissioners is hereby directed to)~~) legislative authority shall appoint a committee to consist of (no more than) five members to serve as an advisory committee to the (authority) department or its designated representative in such review.

(3) The members of each county ferry advisory committee shall be appointed for four-year terms. The initial terms shall commence on July 1, 1982, and end on June 30, 1986. Any vacancy shall be filled for the remainder of the unexpired term by the appointing authority. At least one person appointed to each advisory committee shall be representative of an established ferry-user group or of frequent users of the ferry system, at least one shall be representative of persons or firms using or depending upon the ferry system for commerce, and one member shall be representative of a local government transportation planning body or its staff. Every member shall be a resident of the county upon whose advisory committee he or she sits, and not more than three members shall at the time of their appointment be members of the same major political party.

(4) The committees to be appointed by the ((boards of)) county ((commissioners)) legislative authorities shall serve without fee or compensation. ((It is not the intent of RCW 47.60.290 through 47.60.320 that any powers or duties now prescribed and delegated to the authority shall be assumed by any other board or committee.))

Sec. 23. Section 5, chapter 344, Laws of 1981 and RCW 47.60.326 are each amended to read as follows:

(1) In order to maintain an adequate, fair, and economically sound schedule of charges for the transportation of passengers, vehicles, and commodities on the Washington state ferries, including the Hood Canal bridge, the department of transportation each year shall conduct a full review of such charges.

(2) Prior to February 1st of each odd-numbered year the department shall transmit to the transportation commission a report of its review together with its recommendations for the revision of a schedule of charges for the ensuing (~~(fiscal year)~~) biennium. The commission on or before (~~(April)~~) July 1st of that year shall adopt as a rule, in the manner provided by the Washington administrative procedure act, a schedule of charges for the Washington state ferries for the ensuing (~~(twelve-month period)~~) biennium commencing

((May)) July 1st. The schedule may initially be adopted as an emergency rule if necessary to take effect on, or as near as possible to, ((May)) July 1st.

(3) The department in making its review and formulating recommendations and the commission in adopting a schedule of charges may consider any of the following factors:

- (a) The amount of subsidy available to the ferry system for maintenance and operation;
- (b) The time and distance of ferry runs;
- (c) The maintenance and operation costs for ferry runs with a proper adjustment for higher costs of operating outmoded or less efficient equipment;
- (d) The efficient distribution of traffic between cross-sound routes;
- (e) The desirability of reasonable commutation rates for persons using the ferry system to commute daily to work;

(f) The effect of proposed fares in increasing walk-on and vehicular passenger use;

(g) The effect of proposed fares in promoting all types of ferry use during nonpeak periods;

(h) Such other factors as prudent managers of a major ferry system would consider.

(4) If at any time during the biennium it appears that projected toll revenues from the ferry system, together with the appropriation from the Puget Sound ferry operations account and any other operating subsidy available to the Washington state ferries, will be less than the projected total cost of maintenance and operation of the Washington state ferries for the biennium, the department shall forthwith undertake a review of its schedule of charges to ascertain whether or not the schedule of charges should be revised. The department shall, upon completion of its review report, submit its recommendation to the transportation commission which may in its sound discretion revise the schedule of charges as required to meet necessary maintenance and operation expenditures of the ferry system for the biennium or may defer action until the regular annual review and revision of ferry charges as provided in subsection (2) of this section.

(5) The provisions of section 24 of this 1982 act relating to public participation shall apply to the process of revising ferry tolls under this section.

NEW SECTION. Sec. 24. There is added to chapter 47.60 RCW a new section to read as follows:

PUBLIC PARTICIPATION. (1) Prior to a substantial expansion or curtailment in the level of service provided to ferry users, or a revision in the schedule of ferry tolls or charges, the department of transportation shall consult with affected ferry users. Such consultation shall be: (a) By public hearing in affected local communities; (b) by review with the affected ferry advisory committees pursuant to RCW 47.60.310; (c) by conducting a survey of affected ferry users; or (d) by any combination of (a) through (c).

(2) There is created a ferry system productivity council consisting of a representative of each ferry advisory committee empanelled under RCW 47.60.310, elected by the members thereof, and two representatives of employees of the ferry system appointed by mutual agreement of all of the unions representing ferry employees, which shall meet from time to time with ferry system management to discuss means of improving ferry system productivity.

(3) Prior to increasing ferry tolls the department of transportation shall consider all possible cost reductions with full public participation as provided in subsection (1) of this section and, consistent with public policy, shall consider adapting service levels equitably on a route-by-route basis to reflect trends in and forecasts of traffic usage. Forecasts of traffic levels shall be developed by the bond covenant traffic engineering firm appointed under and pursuant to the provisions of RCW 47.60.450. Provisions of this section shall not alter obligations under RCW 47.60.450. Prior to including any toll increase into a budget proposal by the commission, the department of transportation shall consult with affected ferry users in the manner prescribed in (1)(b) of this section plus the procedure of either (1) (a) or (c) of this section.

Sec. 25. Section 47.64.090, chapter 13, Laws of 1961 and RCW 47.64.090 are each amended to read as follows:

Should any party assume the operation and maintenance of any ferry or ferry system by rent, lease or charter from the ((Washington toll bridge authority)) department of transportation, such party shall assume and be bound by all the provisions herein and any agreement or contract for such operation of any ferry or ferry system entered into by the ((Washington toll bridge authority)) department shall provide that the wages to be paid, hours of employment, working conditions and seniority rights of employees will be established by the marine employees' commission in accordance with the terms and provisions of this chapter and it shall further provide that all labor disputes shall be adjudicated ((by the marine employees commission)) in accordance with chapter 47.64 RCW.

Sec. 26. Section 9, chapter 344, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the ((department of personnel)) marine employees' commission for the biennium ending June 30, 1983, from the motor vehicle fund, the sum of twenty thousand dollars or so much thereof as may be necessary, to prepare recommendations ((to the state personnel board)) for the classification of the positions of employees of the Washington state ferries in accordance with section ((7)) 12 of this 1982 act.

NEW SECTION. Sec. 27. Section captions used in this act constitute no part of the law.

NEW SECTION. Sec. 28. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 29. The following acts or parts of acts are each repealed:

(1) Section 7, chapter 344, Laws of 1981 and RCW 41.06.166;

(2) Section 8, chapter 24, Laws of 1972 ex. sess., section 10, chapter 342, Laws of 1981 and RCW 47.60.325;

(3) Section 47.64.010, chapter 13, Laws of 1961, section 33, chapter 296, Laws of 1975 1st ex. sess., section 1, chapter 344, Laws of 1981 and RCW 47.64.010;

(4) Section 2, chapter 344, Laws of 1981 and RCW 47.64.031;

(5) Section 3, chapter 344, Laws of 1981 and RCW 47.64.100;

(6) Section 4, chapter 344, Laws of 1981 and RCW 47.64.110; and

(7) Section 47.64.040, chapter 13, Laws of 1961, section 35, chapter 296, Laws of 1975 1st ex. sess., section 1, chapter 73, Laws of 1979 ex. sess. and RCW 47.64.040.

NEW SECTION. Sec. 30. Sections 1 through 18 of this act shall be added to chapter 47.64 RCW."

In line 26 of the title, after "47.64.040;" insert "and"

In line 27 of the title, after "penalties" strike "; and declaring an emergency"

Signed by Representatives Wilson, Chairman; Martinis, Ranking Minority Member; Bender, Burns, Erak, Gallagher, Garrett, Garson, Lundquist, McCormick, Patrick, Sherman, Walk.

MINORITY recommendation: Do not pass. Signed by Representatives Clayton, Vice Chairman; Schmidt, Smith.

Voting nay: Representatives Clayton, Vice Chairman; Cantu, Chamberlain, Eberle, Hankins, Owen, Prince, Schmidt, Smith, Sprague.

Changing from yea to nay: Representative Chamberlain.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Hastings, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 17, by Committee on Revenue (originally sponsored by Representative Sprague):

Modifying the 106% limit.

The bill was read the third time and placed on final passage.

Mr. Sprague spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 17, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative King R.

Substitute House Bill No. 17, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 755, by Representatives Prince, Fiske and Erickson:

Deducting trade-in allowances from the selling price for sales tax purposes.

The bill was read the third time and placed on final passage.

Representatives Prince and Tilly spoke in favor of passage of the bill, and Representatives Rust and Rinehart spoke against it.

POINT OF INQUIRY

Mr. Prince yielded to question by Mr. Lux.

Mr. Lux: "Representative Prince, if you had a used automobile or a used combine and you traded it in, you wouldn't pay the sales tax on the used piece of equipment, but if you bought a used combine or a used automobile, you would pay the sales tax on that?"

Mr. Prince: "Did you have a trade-in when you bought the used piece?"

Mr. Lux: "No."

Mr. Prince: "If you don't have a trade-in, there's no credit, but if you do have a trade-in there would be a credit."

Mr. Lux: "So if you had a used automobile you could take it and trade it in on another used automobile that was fifty dollars more and you'd only pay sales tax on the fifty dollars?"

Mr. Prince: "That's correct."

Mr. Lux spoke against passage of the bill, and Mr. Barr spoke in favor of it.

POINT OF INQUIRY

Mr. Prince yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Prince, I live in a community which borders on the state of Oregon. If someone purchased a car in Oregon under our current law, he/she would pay sales tax to our state. Would this law apply if it was passed? Would they have the same option of trading in and only paying sales tax on the balance?"

Mr. Prince: "My understanding is that it would be completely dependent on how they made the trade. If you purchased a car in Oregon and came back to Washington to buy the license without ever having licensed it in Oregon first, then as you came into the state you would have the bill of sale from the dealer which would show the trade-in, and you'd probably get the credit, but if you licensed it in Oregon first and used it in Oregon, in essence, it would be a new vehicle with no trade-in."

Mr. Nelson (D) spoke against passage of the bill, and Representatives Lewis, McGinnis and Clayton spoke in favor of it.

Ms. Rinehart spoke again in opposition to the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 755, and the bill passed the House by the following vote: Yeas, 67; nays, 29; not voting, 2.

Voting yea: Representatives Addison, Amen, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barnes, Becker, Brekke, Burns, Chandler, Cole, Eng, Granlund, Hine, King J., Kreidler, Lux, Maxie, McDonald, Mitchell, Nelson D., North, Pruitt, Rinehart, Rust, Sanders, Schmidt, Sherman, Sommers, Thompson, Valle, Van Dyken, Wang.

Not voting: Representatives King R., Teutsch.

Engrossed House Bill No. 755, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Amen to preside.

SUBSTITUTE HOUSE BILL NO. 1216, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Authorizing institutions of higher education to purchase private sector services.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1216, and the bill passed the House by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Smith, Sommers,

Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Cole, Ehlers, Eng, Erak, Garrett, Garson, Granlund, Grimm, Heck, Kaiser, Kroidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, North, O'Brien, Rinehart, Rust, Scott, Sherman, Stratton, Thompson, Walk, Wang, Warnke, Winsley.

Not voting: Representatives King R., Salatino.

Substitute House Bill No. 1216, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Hastings, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143, by Senators Guess, Bluechel and Charnley:

Establishing a joint select committee to study the management options and potential uses of the Milwaukee Road.

The resolution was read the second time.

Mr. Smith moved adoption of the following amendments:

On page 1, line 2 strike "authorized purchase of" and insert "purchased"

On page 1, beginning on line 2 after "Road" strike "through the sale of several million dollars of bonds"

On page 1, strike all language on lines 7 and 8.

On page 1, beginning on line 13 strike "of the trail in the light of the state's investment"

Mr. Smith spoke in favor of the amendments.

MOTION

Mr. Heck moved that the Rules Committee be relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, and that it be placed on today's second reading calendar.

QUESTION OF CONSIDERATION

Mr. Nelson (G) raised a question of consideration of the motion.

POINT OF ORDER

Mr. Heck: "I don't believe it's appropriate to interrupt a speech once it has begun for a point such as raised by Representative Nelson. It's not appropriate for the Chair to recognize him for that."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Heck, you had not started on the debate, and if you had, the question of consideration is of higher rank."

Mr. Heck demanded an oral roll call and the demand was sustained.

The Speaker resumed the Chair.

POINT OF ORDER

Mr. Ehlers: "Mr. Speaker, it's my understanding that once debate has begun, no matter what may have higher rank, Representative Nelson could not interrupt the speaker. If I understand, Representative Amen's ruling was that it was of higher order."

The Speaker: "From what I understand, Representative Ehlers, the debate had not begun in Speaker Amen's view."

ROLL CALL

The Clerk called the roll on the question of consideration of the motion to relieve Rules Committee of Engrossed Substitute Senate Bill No. 4216, and the House indicated they wished not to consider the motion by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kroidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative King R.

The Speaker stated the question before the House to be the amendments by Representative Smith to Engrossed Senate Concurrent Resolution No. 143.

Mr. Ehlers demanded an oral roll call and the demand was sustained.

Representatives Scott and Kreidler spoke against the amendments, and Mr. Tilly spoke in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Smith to Engrossed Senate Concurrent Resolution No. 143, and the amendments were adopted by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garrett, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Monohon, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wilson, Winsley.

Voting nay: Representatives Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hine, Kaiser, King J., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Mitchell, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Williams.

Not voting: Representatives King R., and Mr. Speaker.

Mr. Tilly moved adoption of the following amendment:

On page 1, line 26 after "Office," insert "the Association of Washington Counties,"

Mr. Tilly spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Tilly, I'm curious about this amendment. I have no problem with this notion of local government on it, but I'm just trying to remember another instance when we've named a particular organization specifically in the statutes. I don't believe that's customary. Normally don't we say 'representatives from local government'? Is this customary to put the name of a specific organization into the statutes?"

Mr. Tilly: "I don't know about custom, but the county officials have been in contact with me—the county commissioners—and I feel they are the ones, especially in the more rural areas, who we should use in a resolution of this type. This is a study resolution rather than a statute."

Mr. Brown demanded an oral roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to Engrossed Senate Concurrent Resolution No. 143, and the amendment was adopted by the following vote: Yeas, 73; nays, 24; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Johnson, Kaiser, Lewis, Lundquist, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rosbach, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Berleen, Brekke, Burns, Cole, Grimm, Isaacson, James, King J., Kreidler, Leonard, Lux, Martinis, McDonald, Owen, Padden, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Walk, Warnke.

Not voting: Representative King R.

Mr. Hastings moved that the rules be suspended, the second reading considered the third and the resolution be placed on final passage.

POINT OF PERSONAL PRIVILEGE

Mr. Ehlers: "Earlier Representative Heck attempted to make a motion to relieve the Rules Committee of the unemployment compensation bill. In our view he had begun his remarks, was interrupted by a motion raising a question of consideration, which is a gag rule. It's our feeling that we have tried to operate in our caucus in a courteous manner. I believe that our caucus, from the very beginning, has been understanding and that we were not going to obstruct the process. There have been very few bills that we have not agreed to bump to final passage and my recollection is that this is the third time—the second time on this particular issue—to raise to relieve the Rules Committee of a bill. It has not been our policy to do so. Representative Heck was not given the opportunity to complete his remarks on the motion because it was ruled that the question of consideration had a higher rank. We don't want to quibble over that particular issue, except to say that we feel Representative Heck was not dealt with in a fair manner. That was why this caucus decided to go through a period of oral roll calls. It's my understanding that this body is going to have an opportunity to vote on the unemployment compensation bill tomorrow, and that's all well and good, but it does not, in fact, condone what I consider to be a discourtesy to one of our members."

POINT OF PERSONAL PRIVILEGE

Mr. Amen: "I was presiding at the time that Representative Ehlers is commenting about. I did not hear Representative Heck start making any remarks whatsoever. I think I resent the implication that was being made by Representative Ehlers. I did not hear any remarks at all."

The motion to suspend the rules and advance Engrossed Senate Concurrent Resolution No. 143 as amended by the House to final passage was carried.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 143 as amended by the House, and the resolution was adopted by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Addison, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Leonard, Prince, Struthers.

Not voting: Representatives Becker, King R.

Engrossed Senate Concurrent Resolution No. 143 as amended by the House, was declared adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1156.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, by Committee on Ways and Means (originally sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller – by Governor Spellman request):

Providing the means for the payment of public indebtedness on public improvements.

The bill was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal, 1st Day, 1st ex. sess., March 12, 1982.)

Mr. Greengo moved adoption of the committee amendment.

Mr. Addison moved adoption of the following amendments by Representatives Addison and Flanagan to the committee amendment:

On page 4, after line 12 strike all material down through "established." on line 18 and insert the following:

"(10) 'Tax allocation base' means the value of property within an apportionment district as established in section 9 of this act for tax allocation purposes."

On page 4, line 22 strike "10" and insert "11"

On page 12, beginning on line 1, strike "value of real property"

On page 12, beginning on line 13, strike "value of real property"

On page 12, beginning on line 29, strike all of subsection (2) and renumber the subsections consecutively

On page 14, after line 3, insert the following:

***NEW SECTION.** Sec. 9. The tax allocation base of an apportionment district shall be established as provided in this section:

(1) The initial tax allocation base shall be established by the assessor revaluing real property within the apportionment district as soon as practicable after the assessor receives notice of the public improvement ordinance. The initial tax allocation base shall be the true and fair value of the real property within the apportionment district for the year in which the apportionment district is established.

(2) During each subsequent year in which the assessor revalues real property within the apportionment district, in accordance with the assessor's plan under chapter 84.41 RCW, a new tax allocation base shall be calculated by the assessor. The new tax allocation base shall be equal to the existing tax allocation base multiplied by the sum of one plus seventy-five one-hundredths of the sum of the annual county-wide percentage changes in market value of locally assessed real property, excluding increased value resulting from new construction and improvements, since the existing tax allocation base was calculated.

(3) The department of revenue shall for each year following 1982 annually calculate the county-wide percentage change in market value of locally assessed real property for each county, excluding increased value resulting from new construction and improvements.

(4) The initial tax allocation base shall remain in effect until the tax allocation base is recalculated pursuant to subsection (2) of this section. Any recalculated tax allocation base shall remain in effect until subsequently recalculated pursuant to subsection (2) of this section.

(5) Nothing in this section authorizes revaluation of real property by the assessor for property taxation purposes that are not made in accordance with the assessor's revaluation plan under chapter 84.41 RCW."

Renumber the sections consecutively.

On page 17, beginning on line 27, strike "10 and 12 through 15" and insert "11 and 13 through 16"

On page 18, line 6, strike "8(4)" and insert "8(3)"

On page 19, beginning on line 24, strike "10 and 12 through 15" and insert "11 and 13 through 16"

Mr. Addison spoke in favor of the amendments.

Mr. Addison yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Addison, as I read the language on line 12, page 3, where we figure what the tax allocation base shall be for the property in question, it says that we take the tax allocation base as of the day the project was most previously tax assessed, then it says to take the sum of one plus three-fourths of the county-wide percentage change. Let's assume the county-wide percentage increase is eight percent, so that would say we would take one plus six making the sum of seven; then we take seven times the tax allocation base. If the tax allocation base is \$100,000, does that mean that we take seven times that and give this property a \$700,000 tax base for next year?"

Mr. Addison: "Let me clarify how the bill works. If the county-wide inflation, just general inflation, not counting new construction, goes up by ten percent, then you would assume that the property values within the district are also increasing by ten percent, so that would raise the tax allocation base by ten percent. Let me clarify a bit further: The language says to take seventy-five one-hundredths of that change, and the philosophy behind that is these properties are supposed to be coming from a depressed area, the amendments make the assumption that their values are not raising at exactly the same rate as the county's, so what the amendment does, is you only take seventy-five percent of the increased value due to inflation. If there was a ten percent general increase in the county, you would take seventy-five percent of that or three-fourths."

Mr. Barrett: "I guess one of my problems is that it doesn't say anything about percentages in here. It says you add one and then take three-fourths of whatever the percentage. Let's say the percentage is eight, so three-fourths of that would be six. It says you take one plus six. It doesn't say anything about a percentage. It doesn't say one hundred six percent or one hundred four percent. It says the sum of one plus three-fourths and you multiply the allocation base by seven, not by one hundred seven percent. Is there an error in the drafting?"

Mr. Addison: "In your example where you say there's an eight percent general inflation rate, you would add one to, in essence, .06, so the inflated value would be one times 1.06, so it would be one hundred six percent."

Representatives Rust and Greengo spoke against the amendments.

The amendments to the committee amendment were not adopted.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo, Rinehart and Bond to the committee amendment:

On page 14, after line 24 insert a new section to read as follows:

"NEW SECTION. Sec. 10. GENERAL OBLIGATION BONDS. General obligation bonds which are issued to finance public facilities that are specified in the public improvement ordinance, and for which part or all of the principal or interest is paid by tax allocation revenues, shall be subject to the following requirements:

(1) The intent to issue such bonds and the maximum amount which the sponsor contemplates issuing are specified in the public improvement ordinance; and

(2) A statement of the intent of the sponsor to issue such bonds is included in all notices required by sections 5 and 6 of this act.

In addition, the ordinance or resolution authorizing the issuance of such general obligation bonds shall be subject to potential referendum approval by the voters of the issuing entity when the bonds are part of the nonvoter approved indebtedness limitation established pursuant to RCW 39.36.020. If the voters of the county or city issuing such bonds otherwise possess the general power of referendum on county or city matters, the ordinance or resolution shall be subject to that procedure. If the voters of the county or city issuing such bonds do not otherwise possess the general power of referendum on county or city matters, the referendum shall conform to the requirements and procedures for referendum petitions provided for code cities in RCW 35A.11.100."

Remember the sections consecutively and correct internal references accordingly.

Mr. Greengo spoke in favor of the amendment, and Mr. Flanagan spoke against it.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Lux.

Mr. Lux: "Representative Greengo, is it true that the limit in the local areas where you're going to have councilmatic bonds, is based on three-fourths of a percent of the total valuation, that you can do that without a vote of the people, and now you are saying here that it would—where would these bonds fall—in the first limitation or the second limitation?"

Mr. Greengo: "Representative Lux, I cannot, off the top of my head, tell you what the limits are of putting out GO bonds without a vote of the people, but what this amendment says is that even if you are under that limit, so that you'd normally not have to have a vote of the people—you could have something like councilmatic bonds—even if you are under those conditions. If these bonds are to support that particular development, they must be made a part of the package from the beginning, and you must notify and it must be in all of the publicity and it is subject to the initiative process, if they want to have a vote."

Mr. Lux spoke against the amendment, and Mr. Flanagan again opposed it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Greengo and others to the committee amendment to Engrossed Second Substitute Senate Bill No. 4603, and the amendment was adopted by the following vote: Yeas, 61; nays, 31; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Ehlers, Ellis, Eng, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Johnson, Kaiser, King J., Kreidler, Lewis, Lux, Martinis, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Prince, Rinehart, Rust, Sherman, Sommers, Sprague, Stratton, Struthers, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Berleen, Cantu, Clayton, Dawson, Dickie, Eberle, Fancher, Fiske, Flanagan, Hankins, Houchen, Isaacson, James, Lundquist, Maxie, McDonald, Nickell, Patrick, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Smith, Taylor, Teutsch, Thompson, Valle, Wilson.

Not voting: Representatives Becker, Erak, King R., Leonard, McGinnis, Scott.

The committee amendment as amended was adopted.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4675 as amended by the House, modifying the funding method

for pupil transportation, have had the same under consideration and we report that we cannot agree and request the powers of Free Conference in order to recommend that the House amendment not be adopted and other amendments be adopted.

Signed by Senators Kiskaddon, Lee, Wilson; Representatives Taylor, Johnson, Cole.

MOTION

On motion of Mr. Taylor, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, as amended by the House, increasing taxation of aircraft fuel, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to amend the bill.

Signed by Senators Patterson, Hansen, von Reichbauer; Representatives Sprague, Prince, Owen.

MOTION

On motion of Mr. Sprague, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Tuesday, March 30, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, March 30, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, King (R), Lux and Salatino. Representatives Eng and King (R) were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Staci Carlson and Lisa Waisath. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 30, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1156,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 30, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE CURRENT RESOLUTION NO. 143, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

MESSAGE FROM THE GOVERNOR

March 29, 1982

To The Honorable,
The House of Representatives
of the State of Washington.
Ladies and Gentlemen:

I have the honor to advise you that on March 29, 1982, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 923: Relating to voluntary action.

Sincerely,
Marilyn Showalter, Counsel.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1235, by Representatives Nisbet, Barr and Berleen:

AN ACT Relating to community social services; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 151, Laws of 1979 and RCW 28A.10.080; amending section 2, chapter 304, Laws of 1971 ex. sess. as amended by section 14, chapter ... (HB 410), Laws of 1982 and by section 18, chapter ... (ESSB 4786), Laws of 1982 and RCW 69.54.020; amending section 3, chapter 304, Laws of 1971 ex. sess. and RCW 69.54.030; amending section 4, chapter 304, Laws of 1971 ex. sess. as amended by section 15, chapter ... (HB 410), Laws of 1982 and by section 19, chapter ... (ESSB 4786), Laws of 1982 and RCW 69.54.040; amending section 1, chapter 143, Laws of 1965 ex. sess. as amended by section 124, chapter 141, Laws of 1979 and RCW 70.96.085; amending section 1, chapter 104, Laws of 1971 ex. sess. and RCW 70.96.092; amending section 2, chapter 104, Laws of 1971 ex. sess. and RCW 70.96.094; amending section 2, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.020; amending section 3, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.030; amending section 4, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.040; amending section 5, chapter 122, Laws of 1972 ex. sess. as amended by section 7, chapter 176, Laws of 1979 ex. sess. and RCW 70.96A.050; amending section 7, chapter 110, Laws of 1967 ex. sess. as amended by section 6, chapter 71, Laws of 1974 ex. sess. and RCW 71.20.070; amending section 2, chapter 131, Laws of 1975-'76 2nd ex. sess. as amended by section 2, chapter 321, Laws of 1977 ex. sess. and RCW 74.38.020;

amending section 3, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.030; amending section 4, chapter 131, Laws of 1975-'76 2nd ex. sess. as amended by section 3, chapter 321, Laws of 1977 ex. sess. and RCW 74.38.040; amending section 5, chapter 131, Laws of 1975-'76 2nd ex. sess. as last amended by section 1, chapter 147, Laws of 1979 ex. sess. and RCW 74.38.050; amending section 6, chapter 131, Laws of 1975-'76 2nd ex. sess. and RCW 74.38.060; adding a new chapter to Title 36 RCW; adding a new section to chapter 36.32 RCW; adding new sections to chapter 82.14 RCW; repealing section 1, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.010; repealing section 2, chapter 165, Laws of 1969 ex. sess., section 13, chapter 141, Laws of 1979 and RCW 13.06.020; repealing section 3, chapter 165, Laws of 1969 ex. sess., section 14, chapter 141, Laws of 1979 and RCW 13.06.030; repealing section 4, chapter 165, Laws of 1969 ex. sess., section 15, chapter 141, Laws of 1979 and RCW 13.06.040; repealing section 5, chapter 165, Laws of 1969 ex. sess., section 1, chapter 165, Laws of 1971 ex. sess., section 1, chapter 198, Laws of 1973 1st ex. sess., section 1, chapter 307, Laws of 1977 ex. sess., section 9, chapter 151, Laws of 1979 and RCW 13.06.050; repealing section 6, chapter 165, Laws of 1969 ex. sess., section 16, chapter 141, Laws of 1979, section 1, chapter 60, Laws of 1981 and RCW 13.06.060; repealing section 5, chapter 321, Laws of 1977 ex. sess. and RCW 74.38.061; providing an effective date; and declaring an emergency.

To Committee on Appropriations - Human Services

HOUSE CONCURRENT RESOLUTION NO. 50, by Representatives Rosbach, Flanagan, Padden, Dickie, Smith, Sanders, Bickham, Barr, Clayton, Isaacson, Prince, Nickell, Tilly, Hastings and Heck:

Forming a joint committee to study laws relating to search for and development of oil and gas in the state.

To Committee on Rules

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3033, by Committee on Energy and Utilities (originally sponsored by Senators Goltz, Williams and Ridder):

Authorizing municipal corporation heating systems.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 3310, by Senators Gould, Williams and Fuller:

Confirming rules adopted as standards for energy use in buildings.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 4616, by Senators Gould, Moore, Hemstad and Williams:

Requiring inverted electric rate structures.

To Committee on Energy and Utilities

ENGROSSED SENATE BILL NO. 4640, by Senators Scott, Zimmerman and Gaspard (by Department of Retirement Systems request):

Revising laws relating to retirement from public service.

To Committee on Ways and Means

ENGROSSED SENATE BILL NO. 4992, by Senators Hayner and Scott:

Modifying the tax advisory council.

To Committee on Rules

ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, by Committee on Energy and Utilities (originally sponsored by Senators Williams, Fuller, McCaslin and Bauer):

Authorizing loans for energy conservation and renewable energy resources.

To Committee on Energy and Utilities

SENATE CONCURRENT RESOLUTION NO. 145, by Senators Gould, McCaslin, Williams, Fuller, Woody, Quigg, Moore, Wilson, Hurley, Newhouse and Hemstad:

Providing for monitoring WPPSS by a legislative subcommittee.

To Committee on Energy and Utilities

MOTION

On motion of Mr. Nelson (G), the bills and resolutions listed on today's agenda under the fourth order of business were considered first reading and were referred to the committees designated.

The Speaker declared the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Ellis, Eng, King (R) and Monohon, who were excused.

REPORT OF CONFERENCE COMMITTEE

March 26, 1982

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 4717 as amended by the House, giving free copies of state statutes and rules to legislative committees, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference.

Signed by Senators Metcalf, Lee; Representatives Williams, Monohon, Struthers.

MOTION

On motion of Mr. Williams, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4748, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 30, 1982

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4748, permitting breweries and wineries to conduct courses in beer and wine, have had the same under consideration, and we recommend that the bill be struck in its entirety and the following bill be passed:

"AN ACT Relating to beer and wine; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063), Laws of 1982 and RCW 66.28.010; and adding a new section to chapter 66.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION, Section 1. There is added to chapter 66.28 RCW a new section to read as follows:

A brewery, winery, or wholesaler may, without charge, instruct licensees and their employees, or conduct courses of instruction for licensees and their employees, on the subject of beer or wine, including but not limited to, the history, nature, values, and characteristics of beer or wine, the use of wine lists, and the methods of presenting, serving, storing, and handling beer or wine. The brewery, winery, or wholesaler may furnish beer or wine and such other equipment, materials, and utensils as may be required for use in connection with the instruction or courses of instruction. The instruction or courses of instruction may be given at the premises of the brewery, winery, or wholesaler, at the premises of a retail licensee, or elsewhere.

Sec. 2. Section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 182, Laws of 1981 and RCW 66.28.040 are each amended to read as follows:

No brewer, wholesaler, distiller, winery, importer, rectifier, or other manufacturer of liquor shall, within the state, by himself, his clerk, servant, or agent, give to any person any liquor; but nothing in this section nor in RCW 66.28.010 or 66.28.025 shall prevent a brewer, wholesaler, winery, or importer from furnishing samples of beer or wine to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor control board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section shall prevent the furnishing of samples of liquor to

the board for the purpose of negotiating the sale of liquor to the state liquor control board; nothing in this section shall prevent a brewery, winery, or wholesaler from furnishing beer or wine for instructional purposes under section 1 of this 1982 act; nothing in this section shall prevent a winery or wholesaler from furnishing wine without charge to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and any wine so furnished shall be used solely for such educational purposes, provided that the wine furnished shall be subject to the taxes imposed by RCW 66.24.210; nothing in this section shall prevent a brewer from serving beer without charge, on the brewery premises; and nothing in this section shall prevent a domestic winery from serving wine without charge, on the winery premises.

Sec. 3. Section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter ... (Engrossed Substitute House Bill No. 1063), Laws of 1982 and RCW 66.28.010 are each amended to read as follows:

(1) No manufacturer, importer, or wholesaler, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in any licensed retail business, nor shall any manufacturer, importer, or wholesaler own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person, under any arrangement whatsoever, conduct his business upon property in which any manufacturer, importer, or wholesaler has any interest. Except as provided in subsection (3) of this section, no manufacturer, importer, or wholesaler shall advance moneys or moneys' worth to a licensed person under an arrangement, nor shall such licensed person receive, under an arrangement, an advance of moneys or moneys' worth: PROVIDED, That "person" as used in this section only shall not include those state or federally chartered banks, state or federally chartered savings and loan associations, state or federally chartered mutual savings banks, or institutional investors which are not controlled directly or indirectly by a manufacturer, importer, or wholesaler as long as the bank, savings and loan association, or institutional investor does not influence or attempt to influence the purchasing practices of the retailer with respect to alcoholic beverages. No manufacturer, importer, or wholesaler shall be eligible to receive or hold a retail license under this title, nor shall such manufacturer, importer, or wholesaler sell at retail any liquor as herein defined: PROVIDED, That nothing in this section shall prohibit a licensed brewer or domestic winery from being licensed as a retailer pursuant to chapter 66.24 RCW for the purpose of selling beer or wine of its own production at retail on the brewery or winery premises. Such beer and wine so sold at retail shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210 and to reporting and bonding requirements as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit a licensed brewer or domestic winery, or a lessee of a licensed brewer or domestic winery, from being licensed as a class H restaurant pursuant to chapter 66.24 RCW for the purpose of selling liquor at a class H premises on the property on which the primary manufacturing facility of the licensed brewer or domestic winery is located or on contiguous property owned by the licensed brewer or domestic winery as prescribed by regulations adopted by the board pursuant to chapter 34.04 RCW: PROVIDED FURTHER, That nothing in this section shall prohibit an importer, or wholesaler not licensed in this state, or any person financially interested, directly or indirectly, in such importing or wholesaling business from having less than a majority financial interest, direct or indirect, in any class A licensed retail business or from owning any of the property upon which such licensed retailer conducts its business so long as such wholesaler or importer does not have either financial interests or property interests affecting more than ten such class A retail licenses.

(2) Financial interest, direct or indirect, as used in this section, shall include any interest, whether by stock ownership, mortgage, lien, or through interlocking directors, or otherwise. Pursuant to rules promulgated by the board in accordance with chapter 34.04 RCW manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; price case goods of their own brands; and perform such similar normal business services as the board may by regulation prescribe.

(3)(a) This section does not prohibit a manufacturer, importer, or wholesaler from providing services to a class G or J retail licensee for: (i) Installation of draft beer dispensing equipment or advertising, (ii) advertising, pouring or dispensing of wine at a wine tasting exhibition or judging event, or (iii) a class G or J retail licensee from receiving any such services as may be provided by a manufacturer, importer, or wholesaler: PROVIDED, That nothing in this section shall prohibit a retail licensee, or any person financially interested, directly or indirectly, in such a retail licensee from having a financial interest, direct or indirect, in a business which provides, for a compensation commensurate in value to the services provided, bottling, canning or other services to a manufacturer, so long as the retail licensee or person interested therein has no direct financial interest in or control of said manufacturer.

(b) The board shall adopt such rules as are deemed necessary to carry out the purposes and provisions of subsection (3)(a) of this section in accordance with the administrative procedure act, chapter 34.04 RCW.*

Signed by Senators Quigg, Vognild, Benitz; Representatives Sanders, Patrick, King (J).

MOTION

On motion of Mr. Sanders, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 4748 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4748 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Chandler, Ellis, Eng, Fiske, Houchen, James, King R., Monohon, Nelson G. A., Sommers.

Engrossed Senate Bill No. 4748 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, and has granted the committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, increasing taxation of aircraft fuel, have had the same under consideration, and we recommend that the House recede from its amendments and that the following language be adopted:

On page 4, line 12 after "crews" insert "in Washington State" and after "aircraft" strike "in Washington State and"

Signed by Senators Patterson, Hansen, von Reichbauer; Representatives Sprague, Prince, Owen.

MOTION

On motion of Mr. Sprague, the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3946 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3946 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 14; not voting, 10.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Erak, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Rust, Salatino,

Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barrett, Bender, Berleen, Brekke, Cole, Ehlers, Garrett, Kaiser, Lux, Maxie, Nelson D., Nickell, Pruitt, Stratton.

Not voting: Representatives Chandler, Ellis, Eng, James, King R., Monohon, Nelson G. A., Rinchart, Sommers, Winsley.

Engrossed Substitute Senate Bill No. 3946 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "Aye" to "Nay" on final passage of Engrossed Substitute Senate Bill No. 3946.

MARGARET J. LEONARD, 3rd District.

MESSAGE FROM THE SENATE

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 26, 1982

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, modifying the funding method for pupil transportation, have had the same under consideration, and we recommend that the House amendment not be adopted and the following amendment be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162 are each amended to read as follows:

In addition to those state funds provided to school districts for basic education, the legislature shall appropriate funds for pupil transportation, in accordance with ((RCW 28A.41.160)) this chapter, and for programs for handicapped students, in accordance with chapter 28A.13 RCW. The legislature may appropriate funds to be distributed to school districts for population factors such as urban costs, enrollment fluctuations and for special programs, including but not limited to, vocational-technical institutes, compensatory programs, bilingual education, urban, rural, racial and disadvantaged programs, programs for gifted students, and other special programs.

Sec. 2. Section 4, chapter 265, Laws of 1981 and RCW 28A.41.520 are each amended to read as follows:

Each district's annual student transportation allocation shall be based on differential rates determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate a standard student mile allocation rate for each district. 'Standard student mile allocation rate,' as used in this ((section)) chapter, means the per mile allocation rate for transporting an eligible student. The standard student mile allocation rate may consist of no more than ((five)) eight differential rates state-wide, as determined by the superintendent, and shall include but not be limited to such factors as climate and terrain; restricted passenger load; nonpassenger miles; and the costs of insurance, district or contracted employee salaries, and benefits, maintenance, fuel, supplies, and materials to the extent that they are not under the direct control of the district. The standard student mile allocation rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(1).

(2) The superintendent shall annually calculate a standard unit mile rate for each district. 'Standard unit mile rate,' as used in this section, means the cost of operating an approved transportation vehicle for one mile. The standard unit mile rate may consist of no more than ((five)) eight differential rates state-wide, as determined by the superintendent, and shall be based on the factors used in subsection (1) of this section. The standard unit mile rate shall be used to determine the transportation allocation for those services provided for in RCW 28A.41.505(2) and (3). For purposes of allocating funds for RCW 28A.41.505(2), the superintendent shall use the average number of miles reported by the district for the two school years, excluding field trips.

(3) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the committees on education and ways and means of the senate and house of representatives a report

outlining the methodology and rationale used in determining the student mile and unit mile rates to be used the following year.

Sec. 3. Section 5, chapter 265, Laws of 1981 and RCW 28A.41.525 are each amended to read as follows:

The superintendent shall determine the preliminary, estimated student transportation allocation for each district and notify districts of their preliminary student transportation allocation by June 15. ~~(The superintendent shall include not less than twenty-five percent of the estimated student transportation allocation in the following September apportionment payment to school districts.)~~ By the following October 15th, every district shall notify the superintendent of any changes in the data utilized in calculating the preliminary student transportation allocation. The superintendent shall then make necessary corrections and shall notify districts of their final student transportation allocation before the following December 1st ~~(and shall make the balance of the student transportation allocation in approximately equal parts as a part of the December, February, and April apportionment payments to school districts)~~. If the number of eligible students in a school district changes ten percent or more from the final October 15 number, and the change is maintained for a period of twenty consecutive school days or more, the district may submit revised eligible student data to the superintendent of public instruction. The superintendent shall, to the extent funds are available, recalculate the district's allocation for the transportation of pupils to and from school.

The superintendent shall make the student transportation allocation in accordance with the apportionment payment schedule in RCW 28A.48.010, as now or hereafter amended. For the 1982-83 school year, no school district shall receive a reduction or increase in funds of over three percent of what it received the previous year as adjusted to its proportional share of funds appropriated by the legislature for 1982-83 transportation services.

NEW SECTION. Sec. 4. The superintendent of public instruction shall submit a report to the legislature which shall:

(1) Identify the factors that will be used to recognize cost differentials between districts, and the data elements that will be used to measure the factors that contribute to these cost differentials;

(2) Collect the appropriate financial and workload data necessary to measure cost differentials between districts;

(3) Describe and analyze the differential rates associated with the standard student mile allocation under the eligibility formula along with an analysis of each school district's eligibility for a differential rate. The rationale for choosing specific rates and the procedures used in evaluating district requests for differential rates shall also be included;

(4) Compare and analyze the difference in costs of changing the 'eligible student' definition in RCW 28A.41.510 to include only those students whose residence or assigned route stop is more than one and one-half miles from the student's school, while still excepting handicapped students;

(5) Present a method of measuring potential ridership of eligible students within the formula utilizing factors which account for the variations associated with student demand on the district's transportation system;

(6) Compare the distribution of pupil transportation resources utilizing eligible student data, eligible student data modified by the student demand factor specified in (5) above, and eligible students actually transported plus ten percent, with an analysis of the fiscal and program implications of each distribution method; and

(7) Present options for a continued phase-in of the eligible student allocation formula, with a description of the fiscal impact on school districts.

The report shall be submitted to the senate and house committees on education no later than December 15, 1982.

All data collected by the superintendent and requested by the committees on ways and means or education of the house or senate pertaining to the funding of pupil transportation shall be delivered to the legislative evaluation and accountability program (LEAP) as soon as possible in a machine readable form acceptable to the LEAP committee.

NEW SECTION. Sec. 5. Section 13, chapter 265, Laws of 1981 (uncodified) is hereby repealed.

NEW SECTION. Sec. 6. Sections 2 and 3 of this amendatory act shall take effect September 1, 1982.

NEW SECTION. Sec. 7. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On line 1 of the title after "transportation;" strike the remainder of the title and insert the following "amending section 7, chapter 359, Laws of 1977 ex. sess. and RCW 28A.41.162; amending section 4, chapter 265, Laws of 1981 and RCW 28A.41.520; amending section 5, chapter 265, Laws of 1981 and RCW 28A.41.525; creating new sections; repealing section 13, chapter 265, Laws of 1981 (uncodified); and providing an effective date."

Signed by Senators Kiskaddon, Wilson, Lee; Representatives Taylor, Johnson, Cole.

MOTION

On motion of Mr. Taylor the report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4675 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4675 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Nelson D., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Gallagher.

Not voting: Representatives Chandler, Ellis, Eng, King R., Monohon, Nelson G. A., Sommers.

Engrossed Substitute Senate Bill No. 4675 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Martinis moved that the Rules Committee be relieved of SUBSTITUTE SENATE BILL NO. 4609, and the bill be placed on today's second reading calendar.

Mr. Martinis spoke in favor of the motion, and Mr. Wilson spoke against it.

Mr. Hastings moved that the motion be laid on the table.

Mr. Heck demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to table the motion to relieve Rules Committee of Substitute Senate Bill No. 4609, and the motion was carried by the following vote: Yeas, 51; nays, 39; not voting, 8.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Martinis, Maxie, McCormick, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Chandler, Ellis, Eng, King R., Monohon, Nelson G. A., Sommers, Teutsch.

MOTION

Mr. Heck moved that the Rules Committee be relieved of ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, and the bill be placed on today's second reading calendar.

Mr. Heck spoke in favor of the motion, and Mr. Sanders spoke against it.

Mr. Hastings moved that the motion be tabled.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion to table the motion to relieve Rules Committee of Engrossed Substitute Senate Bill No. 4216, and the motion was carried by the following vote: Yeas, 51; nays, 39; not voting, 8.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Valle, Walk, Wang, Warnke.

Not voting: Representatives Chandler, Ellis, Eng, King R., Monohon, Nelson G. A., Sommers, Thompson.

MOTION

On motion of Mr. Hastings, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1196, by Representatives Maxie, Sprague, O'Brien, Johnson, Rinehart and Lux:

Establishing the anniversary of the birth of Martin Luther King, Jr., as a state holiday.

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, is this within the cut-off resolution?"

SPEAKER'S RULING

The Speaker: "Engrossed Senate Concurrent Resolution No. 150 states that a special session shall be limited to the Washington Public Power Supply System; government reorganization; fiscal issues; bills referenced as being necessary to the implementation of the budget; bills in dispute in the 1982 regular session; Substitute Senate Bill No. 4609, the ferry labor legislation, and resolutions and matters relating to the operation of the legislature. House Bill 1196, which would designate Martin Luther King's birthday as a state holiday, does not appear to fit reasonably into any of the subject categories which may be considered under this resolution. The Speaker will rule that House Bill 1196 does not represent a government reorganization or any of the other permitted subjects and, therefore, in accordance with ESCR 150 which was adopted by this body and by the Senate, may not be properly considered. Your point is well taken, Representative Hastings."

The Speaker called on Mr. Amen to preside.

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, by Committee on Local Government (originally sponsored by Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz - by Governor Spellman request):

Providing the means for the payment of indebtedness on public improvements.

The resolution was read the second time.

Committee on Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal, 57th Day, March 8, 1982.)

Mr. Greengo moved adoption of the committee amendment.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo and Van Dyken to the committee amendment:

On page 1, beginning on line 31 strike "deteriorated"

Representatives Greengo and Galloway spoke in favor of the amendment to the committee amendment, and it was adopted.

Ms. Galloway moved adoption of the following amendment to the committee amendment: On page 1, line 30 after "improvements" strike all material down through "areas" on line 31.

Representatives Galloway and O'Brien spoke in favor of the amendment to the amendment, and Representatives Greengo and Addison spoke against it.

Ms. Galloway spoke again in favor of the amendment.

The amendment to the committee amendment was not adopted.

Mr. Addison moved adoption of the following amendment by Representatives Addison, McDonald and Brown to the committee amendment:

On page 2, line 2 after "property" insert "which may be reasonably construed to have arisen from the specified public improvements"

Representatives Addison and McDonald spoke in favor of the amendment to the amendment, and Representatives King (J) and Greengo spoke against it.

Mr. Addison spoke again in favor of the amendment to the committee amendment.

On motion of Mr. Nelson (G), further consideration of the amendment to the committee amendment was deferred until consideration of other amendments was completed.

Mr. Flanagan moved adoption of the following amendment by Representatives Flanagan and Addison to the committee amendment:

On page 2, beginning on line 9 strike "revenues from these public improvements and"

Representatives Flanagan, Addison, Lux and Leonard spoke in favor of the amendment to the committee amendment, and Representatives Greengo, Galloway and Hine spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan and Addison to the Revenue Committee amendment to Engrossed Substitute Senate Joint Resolution No. 143, and the amendment to the amendment was not adopted by the following vote: Yeas, 31; nays, 58; not voting, 9.

Voting yea: Representatives Addison, Barr, Berleen, Bond, Brekke, Cantu, Clayton, Dawson, Dickie, Eberle, Fancher, Fiske, Flanagan, Hankins, Hastings, Isaacson, James, Johnson, Leonard, Lundquist, Lux, McDonald, McGinnis, North, Padden, Patrick, Sanders, Schmidt, Sherman, Smith, Tilly.

Voting nay: Representatives Amen, Armstrong, Barnes, Barrett, Becker, Bender, Bickham, Brown, Burns, Chamberlain, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Kaiser, King J., Kreidler, Lewis, Martinis, Maxie, McCormick, Mitchell, Nelson D., Nisbet, O'Brien, Owen, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Chandler, Ellis, Eng, King R., Monohon, Nelson G. A., Nickell, Sommers, Winsley.

The Clerk read the following amendment by Representatives Greengo and Van Dyken to the committee amendment:

On page 3, beginning on line 17 strike "an election to be held for that purpose" and insert "the general or special election at which the proposition to incur the indebtedness is presented to the voters"

With the consent of the House, Mr. Greengo withdrew the amendment to the committee amendment.

Mr. Greengo moved adoption of the following amendment by Representatives Greengo and Flanagan to the committee amendment:

On page 3, line 14 beginning with "without" strike all matter down to and including "purpose" on line 18 and insert "unless a public hearing on the issue of such bonds is held prior to the time boundaries are created pursuant to this section. The notice for such a public hearing shall include: (1) A statement that the county, city or town must pledge its full faith and credit toward the payment of any general indebtedness which uses the funding mechanism contained in the section; (2) A statement that in the absence of sufficient revenues under this funding mechanism, the debt service must be made from then existing taxes or other revenues, which may result in an increase in taxes or reduction in existing programs; and (3) An estimate of the dollar amount of debt service on such bonds per year, and an estimate of the total principal and interest payments required for the full term of the bonds. The use of the funding mechanism contained in this section to pay principal and interest on general indebtedness, which is not required to be approved by the voters pursuant to Article VIII, section 6, shall be subject to potential referendum approval by simple majority vote of the voters of the county, city or town."

Mr. Greengo spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Erak.

Mr. Erak: "Representative Greengo, I understand what you are saying here all the way down to that potential referendum item and your definition of it. I've asked a couple of lawyers what a potential referendum is, and neither one of them gave me the description that you've given to us. If lay citizens or someone else were to pick this up, I don't think they could tell us exactly what a potential referendum is. That is the only section that I have a hang-up with. I don't think that's spelled out with clarity. Could you be more definite?"

Mr. Greengo: "Representative Erak, it refers to Article VIII of the Constitution, section 6, which, in my understanding, addresses the referendum procedure, and then the implementing statute which we worked yesterday, 4603, spells out the specific RCW section wherein if you have the initiative and referendum procedure in your local counties and cities, whatever the class is—and there is some variation there—then you use that. If you don't have that, you use the state authority, but in any case, you will have the availability to gather signatures to force a vote of the people on this particular issue before it goes into effect."

Mr. Erak spoke against the amendment to the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Leonard.

Ms. Leonard: "Representative Greengo, I read in this amendment that it says, '...shall be subject to potential referendum.' In your remarks you referred to an initiative, and an initiative process is very different from a referendum process. You are correct in that a referendum process allows thirty days to gather the signatures, but in first class cities, and those particularly with the initiative and referendum provided in their charters, an initiative has an unlimited amount of time in which to gather the signatures. Which are we really talking about here? Potential referendums or initiatives?"

Mr. Greengo: "In my talks with Mr. Lundin, my understanding is that it is a referendum process. A referendum can occur in two ways: Either the local governing authority can refer an issue to the voters; or the voters can petition the council by getting a certain number of signatures to submit it to a referendum. That's what I'm talking about."

Ms. Galloway spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Van Dyken.

Mr. Van Dyken: "Representative Greengo, as I read the amendment, it appears that in an effort to have a public hearing and public disclosure of the impact of general obligation bonds, you have required that a hearing on those bonds be held prior to the time that the boundaries are drawn. Is it your intent then that once the boundaries are drawn that unless a hearing on the general obligation bonds had been included prior to that time, there would be no obligation for the city to hold, at a later time, a hearing and submit general obligation bonds?"

Mr. Greengo: "My understanding is that when you first pass the enabling ordinance to do this, you would have to have in that ordinance the disclosure that you may want to use G.O. bonds so that when you hold your hearings and talk about boundaries, you talk about the financing methods, and you would also be discussing the fact that you might want to use G.O. bonds, and if you don't do all of that, I think it would be subject to court challenge."

Mr. Van Dyken: "Then I would interpret subparagraph (3) of your amendment, where it refers to an estimate of the dollar amount for the debt service on such general obligation bonds, that would be in a general and not a specific nature, since the specific amount of the general obligation bonds would not necessarily be known at that time?"

Mr. Greengo: "I think that's correct. This would have to be something that would develop as you developed the proposal and got it more refined so you could make more refined projections as to what it was going to cost."

Mr. Flanagan spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. O'Brien.

Mr. O'Brien: "Representative Flanagan, this full disclosure matter that you would like to pass and have passed as a constitutional amendment on your debt service obligations, whatever happened to those constitutional amendments in the Senate? Do they see it differently than we do?"

Mr. Flanagan: "No, I just didn't get over there and lobby it enough. I was told by one of the Senators that he had it taken care of, and so I didn't bother to look at the voter's pamphlet for a week, and then I woke up and found out that the bill was on the calendar but never passed. It went through all the committees, and the Rules Committee, but still didn't pass."

Representatives Hastings, Padden, Addison, Lux, McDonald and Leonard spoke against the amendment to the committee amendment, and Representatives Rust, Galloway, Van Dyken and Flanagan spoke in favor of it.

Mr. McDonald again opposed the amendment to the amendment, and Mr. Greengo spoke again in favor of it.

Mr. Struthers demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Greengo and Flanagan to the committee amendment to Engrossed Substitute Senate Joint Resolution No. 143, and the amendment to the amendment was adopted by the following vote: Yeas, 53; nays, 37; not voting, 8.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brown, Burns, Chamberlain, Clayton, Cole, Ehlers, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Heck, Hine, Johnson, King J., Kreidler, Lewis, Maxie, Mitchell, Nickell, Nisbet, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Smith, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Wang, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Berleen, Bond, Brekke, Cantu, Dawson, Dickie, Eberle, Fancher, Grimm, Hankins, Hastings, Houchen, Isaacson, James, Kaiser, Leonard, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., North, Padden, Patrick, Prince, Sanders, Schmidt, Sherman, Sprague, Tilly, Walk, Warnke, Wilson.

Not voting: Representatives Chandler, Ellis, Eng, Fiske, King R., Monohon, Sommers, Winsley.

The Speaker stated the question before the House to be the amendment by Representative Addison to page 2, line 2.

With the consent of the House, Mr. Addison moved adoption of the following amendment to replace the previous amendment:

On page 2, line 2 after "property" insert ", if such increases in value may reasonably be construed to have resulted from the specified public improvements."

Mr. Addison spoke in favor of the amendment to the committee amendment, and Ms. Galloway spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison to the committee amendment to Engrossed Substitute Senate Joint Resolution No. 143, and the amendment to the amendment was not adopted by the following vote: Yeas, 38; nays, 52; not voting, 8.

Voting yea: Representatives Addison, Becker, Berleen, Bond, Brekke, Cantu, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lundquist, Lux, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, North, Padden, Patrick, Rosbach, Sanders, Schmidt, Sherman, Smith, Sprague, Tilly, Tupper, Warnke.

Voting nay: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Brown, Burns, Chamberlain, Cole, Dawson, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., Kreidler, Lewis, Martinis, Maxie, McCormick, Nisbet, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sommers, Struthers, Taylor, Teutsch, Thompson, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Barr, Chandler, Ellis, Eng, King R., Monohon, Prince, Stratton.

The Clerk read the following amendment by Representative Galloway to the committee amendment:

On page 3, line 8 after "Article" strike all material down through "purpose" on line 18.

With the consent of the House, Ms. Galloway withdrew the amendment.

The Speaker (Mr. Amen presiding) stated the question before the House to be the committee amendment as amended.

Mr. Greengo spoke in favor of the amended amendment, and it was adopted.

Engrossed Substitute Senate Joint Resolution No. 143 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Wednesday, March 31, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, March 31, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sheila Bell and Christine Lomax. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3946, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4675, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 30, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 4748, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

March 31, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3946,
SUBSTITUTE SENATE BILL NO. 4675,
SENATE BILL NO. 4748,
SENATE CONCURRENT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3946,
SUBSTITUTE SENATE BILL NO. 4675,
SENATE BILL NO. 4748,
SENATE CONCURRENT RESOLUTION NO. 143.

MESSAGE FROM THE GOVERNOR

March 30, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 30, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 183: Relating to the 1989 Washington centennial.

Sincerely,
Marilyn Showalter, Counsel.

The Speaker declared the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Cole, King (R) and Lux, who were excused.

On motion of Mr. Nelson (G), the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 31, 1982

ENGROSSED SUBSTITUTE HOUSE BILL NO. 784, Prime Sponsor: Committee on Appropriations - Education, making miscellaneous changes in law relating to institutions of higher education. Reported by Committee on Ways and Means.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Greengo, McDonald, Nisbet, Williams.

Voting nay: Representatives Sommers, Ranking Minority Member; Thompson, Warnke.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

March 31, 1982

ENGROSSED SENATE BILL NO. 4640, Prime Sponsor: Senator Scott, revising laws relating to retirement from public service. Reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1, Section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180 are each amended to read as follows:

(1) The right of a person to a retirement allowance, disability allowance, or death benefit, the retirement, disability or death allowance itself, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, and the moneys in the fund created under this chapter, are hereby exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, or any other process of law whatsoever: PROVIDED, That benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(2) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington.

(3) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified, and affirmed. Future deductions may only be made in accordance with this section.

Sec. 2, Section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010 are each amended to read as follows:

Any judge of the supreme court, court of appeals, or superior court of the state of Washington who heretofore and/or hereafter shall have served as a judge of any such courts for eighteen years in the aggregate or who shall have served ten years in the aggregate and shall have attained the age of seventy years or more may, during or at the expiration of his term of office, in accordance with the provisions of this chapter, be retired and receive the retirement pay herein provided for. In computing such term of service, there shall be counted the time spent by such judge in active service in the armed forces of the United States of America, under leave of absence from his judicial duties as provided for under chapter 201, Laws of 1941 (~~chapter 73-16 RCW~~): PROVIDED, HOWEVER, That in computing such credit for such service in the armed forces of the United States of America no allowance shall be made for service beyond the date of the expiration of the term for which such judge was elected. Any judge desiring to retire under the provisions of this section shall file with the (~~state treasurer, who is hereby created treasurer, ex officio, of the fund hereinafter established, and who is hereinafter referred to as "the treasurer,")~~ director of retirement systems, a notice in duplicate in writing, verified by his affidavit, fixing a date when he desires his retirement to commence, one copy of which the (~~treasurer~~) director shall forthwith file with the administrator for the courts.

The notice shall state his name, the court or courts of which he has served as judge, the period of service thereof and the dates of such service. ((No retirement shall be made within a period of less than thirty days after such statement is filed, and no retirement after separation from office by expiration of term shall be allowed unless the statement be filed within thirty days thereafter.))

Sec. 3. Section 2, chapter 229, Laws of 1937 as last amended by section 2, chapter 18, Laws of 1982 and RCW 2.12.020 are each amended to read as follows:

(1) Any judge of the supreme court, court of appeals, or superior court of the state of Washington, who heretofore and/or hereafter shall have served as a judge of any such courts for a period of ten years in the aggregate, and who shall believe he has become physically or otherwise permanently incapacitated for the full and efficient performance of the duties of his office, may file with the ((treasurer)) director of retirement systems an application in duplicate in writing, asking for retirement, which application shall be signed and verified by the affidavit of the applicant or by someone in his behalf and which shall set forth his name, the office then held, the court or courts of which he has served as judge, the period of service thereon, the dates of such service and the reasons why he believes himself to be, or why they believe him to be incapacitated. Upon filing of such application the ((treasurer)) director shall forthwith transmit a copy thereof to the governor who shall appoint three physicians of skill and repute, duly licensed to practice their professions in the state of Washington, who shall, within fifteen days thereafter, for such compensation as may be fixed by the governor, to be paid out of the fund hereinafter created, examine said judge and report, in writing, to the governor their findings in the matter. If a majority of such physicians shall report that in their opinion said judge has become permanently incapacitated for the full and efficient performance of the duties of his office, and if the governor shall approve such report, he shall file the report, with his approval endorsed thereon, in the office of the ((treasurer)) director and a duplicate copy thereof with the administrator for the courts, and from the date of such filing the applicant shall be deemed to have retired from office and be entitled to the benefits of this chapter to the same extent as if he had retired under the provisions of RCW 2.12.010.

(2) The retirement for disability of a judge, who has served as a judge of the supreme court, court of appeals, or superior court of the state of Washington for a period of ten years in the aggregate, by the supreme court under Article IV, section 31 of the Constitution of the state of Washington (House Joint Resolution No. 37, approved by the voters November 4, 1980), with the concurrence of the retirement board, shall be considered a retirement under subsection (1) of this section.

Sec. 4. Section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050 are each amended to read as follows:

There is hereby created a fund in the state treasury to be known as 'The Judges' Retirement Fund' which shall consist of the moneys appropriated from the general fund in the state treasury, as hereinafter provided; the deductions from salaries of judges, as hereinafter provided, all gifts, donations, bequests and devises made for the benefit of said fund, and the rents, issues and profits thereof, or proceeds of sales of assets thereof. The state treasurer shall be treasurer, ex officio, of this fund. The treasurer shall be custodian of the moneys in said judges' retirement fund. The department of retirement systems shall receive all moneys payable into said fund and make disbursements therefrom as provided in this chapter. The department shall keep written permanent records showing all receipts and disbursements of said fund.

Sec. 5. Section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under RCW 41.26.410 through 41.26.550.

Sec. 6. Section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) (a) 'Accumulated contributions' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of all regular annuity contributions with regular interest thereon.

(b) 'Accumulated contributions' for persons who establish membership in the retirement system on or after October 1, 1977, means the sum of all contributions standing to the credit of a member in the member's individual account together with the regular interest thereon.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the director and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) (a) 'Beneficiary' for persons who establish membership in the retirement system on or before September 30, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter.

(b) 'Beneficiary' for persons who establish membership in the retirement system on or after October 1, 1977, means any person in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by another person.

(7) 'Contract' means any agreement for service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability. This subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(11) (a) 'Earnable compensation' for persons who establish membership in the retirement system on or before September 30, 1977, means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the employer shall fix the value of that part of the compensation not paid in money: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position, or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature five or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for five or more years, earnable compensation for the member's two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(b) 'Earnable compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means salaries or wages earned by a member during a payroll period for personal services, including overtime payments, as reported by the employer on the wage and tax statement submitted to the federal internal revenue service, but shall exclude lump sum payments for deferred annual sick leave, and shall include wages and salaries deferred under provisions established pursuant to sections 403(b) and 457 of the United States Internal Revenue Code, unused accumulated vacation, unused accumulated annual leave, or any form of severance pay: PROVIDED, That retroactive payments to an individual by an employer on reinstatement of the employee in a position or payments by an employer to an individual in lieu of reinstatement in a position which are awarded or granted as the equivalent of the salary or wages which the individual would have earned during a payroll period shall be considered earnable compensation, to the extent provided above, and the individual shall receive the equivalent service credit: PROVIDED FURTHER, That in any year in which a member serves in the legislature the member shall have the option of having such member's earnable compensation be the greater of:

(i) the earnable compensation the member would have received had such member not served in the legislature; or

(ii) such member's actual earnable compensation received for teaching and legislative service combined. Any additional contributions to the retirement system required because compensation earnable under subparagraph (i) of this subsection is greater than compensation earnable under subparagraph (ii) of this subsection shall be paid by the member for both member and employer contributions.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to be exempt from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

(18) 'Pension' means the moneys payable per year during life from the pension reserve fund.

(19) (~~'Pension fund' means a fund from which all pension obligations are to be paid.~~)

~~(20)) 'Pension reserve fund' is a fund ((in the state treasury)) in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system and from which all pension obligations are to be paid.~~

~~((21)) (20) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.~~

((22)) (21) 'Prior service contributions' means contributions made by a member to secure credit for prior service. The provisions of this subsection shall apply only to persons who establish membership in the retirement system on or before September 30, 1977.

((23)) (22) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

((24)) (23) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to the member's individual account in the annuity fund. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

((25)) (24) 'Regular interest' means such rate as the director may determine.

((26)) (25) (a) 'Retirement allowance' for persons who establish membership in the retirement system on or before September 30, 1977, means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(b) 'Retirement allowance' for persons who establish membership in the retirement system on or after October 1, 1977, means monthly payments to a retiree or beneficiary as provided in this chapter.

((27)) (26) 'Retirement system' means the Washington state teachers' retirement system.

((28)) (27) (a) 'Service' means the time during which a member has been employed by an employer for compensation: PROVIDED, That where a member is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service is rendered.

(b) 'Service' for persons who establish membership in the retirement system on or after October 1, 1977, means periods of employment by a member for one or more employers for which earnable compensation is earned for ninety or more hours per calendar month. Members shall receive twelve months of service for each contract year or school year of employment.

Any person who is a member of the teachers' retirement system and who is elected or appointed to a state elective position may continue to be a member of the retirement system and continue to receive service credit for the time spent in a state elective position by making the required member contributions.

When an individual is employed by two or more employers the individual shall only receive one month's service credit during any calendar month in which multiple service for ninety or more hours is rendered.

Notwithstanding RCW 41.32.240, teachers covered by RCW 41.32.755 through 41.32.825, who render service need not serve for ninety days to obtain membership so long as the required contribution is submitted for such ninety-day period. Where a member did not receive service credit under RCW 41.32.775 through 41.32.825 due to the ninety-day period in RCW 41.32.240 the member may receive service credit for that period so long as the required contribution is submitted for the period. Anyone entering membership on or after October 1, 1977, and prior to July 1, 1979, shall have until June 30, 1980, to make the required contribution in one lump sum.

((29)) (28) 'Survivors' benefit fund' means the fund from which survivor benefits are paid to dependents of deceased members. This subsection shall apply only to persons establishing membership in the retirement system on or before September 30, 1977.

((30)) (29) 'Teacher' means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, educational service district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

((31)) (30) 'Average final compensation' for persons who establish membership in the retirement system on or after October 1, 1977, means the member's average earnable compensation of the highest consecutive sixty months of service prior to such member's retirement, termination, or death. Periods constituting authorized leaves of absence may not be used in the calculation of average final compensation.

((32)) (31) 'Retiree' for persons who establish membership in the retirement system on or after October 1, 1977, means any member in receipt of a retirement allowance or other benefit provided by this chapter resulting from service rendered to an employer by such member.

((33)) (32) 'Department' means the department of retirement systems created in chapter 41.50 RCW.

((34)) (33) 'Director' means the director of the department.

((35)) (34) 'State elective position' means any position held by any person elected or appointed to state-wide office or elected or appointed as a member of the legislature.

((36)) (35) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).

((37)) (36) 'Retirement board' means the board of trustees provided for in RCW 41.32.040.

Sec. 7. Section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030 are each amended to read as follows:

All of the assets of the retirement system shall be credited according to the purposes for which they are held, to ~~((one of two))~~ a fund(s) to be maintained in the state treasury, namely, ~~((the teachers' retirement pension reserve fund and))~~ the teachers' retirement fund. In the records of the teachers' retirement system the teachers' retirement fund shall be subdivided into the annuity fund, the annuity reserve fund, the survivors' benefit fund, the pension reserve fund, the disability reserve fund, the death benefit fund, the income fund, the expense fund, and such other funds as may from time to time be created by the ~~((board of trustees))~~ director for the purpose of the internal accounting record.

Sec. 8. Section 38, chapter 80, Laws of 1947 and RCW 41.32.380 are each amended to read as follows:

There shall be placed in the pension reserve fund all appropriations made by the legislature for the purpose of paying pensions and survivors' benefits and of establishing and maintaining an actuarial reserve and all gifts and bequests to the pension reserve fund, and contributions of persons entering the retirement system who have established prior service credit. Members establishing prior service credit shall contribute to the pension reserve fund as follows:

For the first ten years of prior service fifteen dollars per year;

For the second ten years of prior service thirty dollars per year;

For the third ten years of prior service forty-five dollars per year.

Sec. 9. Section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401 are each amended to read as follows:

For the purpose of establishing and maintaining an actuarial reserve adequate to meet present and future pension liabilities of the system and to pay for one-half of the operating expenses of the system, the ~~((board of trustees at each regular July meeting next preceding a regular session of the legislature during an odd-numbered year))~~ director shall compute the amount necessary to be appropriated during the next legislative session for transfer from the state general fund to the teachers' retirement system during the next biennium. Such computation shall provide for amortization of unfunded pension liabilities over a period of not more than fifty years from July 1, 1964. The amount thus computed as necessary shall be reported to the governor by the ~~((secretary-manager of the retirement system))~~ director for inclusion in the budget. The legislature shall make the necessary appropriation from the state general fund to the teachers' retirement system after considering the estimates as prepared and submitted, and shall appropriate from the teachers' retirement fund the amount to be expended during the next biennium for operating expenses. The transfer of funds from the state general fund to the retirement system shall be at a rate determined by the ~~((board of trustees))~~ director on the basis of the latest valuation prepared by the state actuary ~~((employed by the board)), and shall include a percentage contribution of the total earnable compensation of the members for the biennium for which the appropriation is to be made, to be known as the 'normal contribution,' and an additional percentage contribution of such earnable compensation, to be known as the 'unfunded liability contribution.'~~ Such transfers from the general fund shall be made before the end of each calendar quarter ~~((at the rate determined by the board of trustees and shall be computed on the basis of the members' total earnable compensation received for the quarter. The members' total contributions to the teachers' retirement fund for each quarter shall serve as the basis for determining the members' total earnable compensation for the quarter)), except for the 1981-83 biennium such transfers from the general fund shall be made as provided in an act making an appropriation for the retirement system or as directed by rules promulgated under RCW 43.41.110(13). When payments are made less often than quarterly, the legislature shall appropriate additional amounts equal to the interest that would have been earned under a quarterly payment basis. The amounts transferred shall be distributed ((first)) to the teachers' retirement fund for the payment of pensions, survivors' benefits and the state's share of the operating expenses for the system((, and the balance shall be credited to the teachers' retirement pension reserve fund)). The total amount of such transfers for a biennium shall not exceed the total amount appropriated by the legislature.~~

NEW SECTION. Sec. 10. All funds in the teachers' retirement pension reserve fund are transferred to the teachers' retirement fund.

Sec. 11. Section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405 are each amended to read as follows:

An income fund is hereby created for the purpose of crediting regular interest and such other income as may be derived from the deposits and investments of the various funds of the teachers' retirement fund. All accumulated contributions in the account of a terminated ~~((member which remain unclaimed after the expiration of ten years from the date of termination))~~ employee except as provided for in RCW 41.32.500(1) through (3), 41.32.510, 41.32.810, and 41.32.815 shall ((thereafter)) be transferred to the income fund ((as provided in RCW 41.32.510)). If the former employee, the former employee's beneficiary, or the former employee's estate at a future date requests the unclaimed contributions or reinstatement of the rights previously provided thereunder, the former employee's contributions shall be transferred from the income fund to the annuity fund and the former employee's account reestablished with all the rights which would have been due the former employee, the former employee's beneficiary, or the former employee's estate as if in fact the transfer to the income fund had not occurred. Any moneys that may come into the possession of the retirement system in the form of gifts or bequests which are not allocated to a specific fund, or any other moneys the disposition of which is not otherwise provided herein, shall be credited to the income fund. The moneys accumulated in the income fund shall be available for transfer, upon ~~((board))~~ the director's authorization, to the department of retirement systems expense fund toward payment of the members' share of the operating costs of the system as provided in RCW 41.32.410, and for regular interest allowance to the various funds of the teachers' retirement fund ~~((as provided in RCW 41.32.190 and 41.32.460)); however, no interest may be credited to the pension fund: PROVIDED, That from such accumulated moneys the ((board)) director shall have sole discretion to determine an amount thereof to be credited to the annuity fund which will thereupon be credited as regular interest to the individual members' accounts((- PROVIDED FURTHER, That from interest and other earnings on the moneys in the annuity fund the board may specifically allocate up to one percent per annum of such interest and other earnings for the purpose of making sufficient funds available to facilitate the adjustment in the retirement allowance provided in RCW 41.32.499)) except that any accrued interest shall be credited at least annually to the individual members' accounts.~~

Sec. 12. Section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410 are each amended to read as follows:

~~((At the beginning of each fiscal year the board of trustees))~~ The director shall transfer from the pension fund and the income fund to the department of retirement systems expense fund amounts sufficient to defray the expenses of the retirement system ((estimated by them for that year)): PROVIDED, That the amounts transferred to the expense fund shall result in the state and the members of the system sharing equally in the operating costs of the system. The ((board of trustees)) director shall have authority to assess a withdrawal fee and such other service charges as may be necessary to assist in providing for the members' contributions to the department of retirement systems expense fund. Any such withdrawal fee or other service charges shall be deducted from the member's annuity fund account during the year in which the assessment is made and all money received from such assessments shall be credited to the department of retirement systems expense fund toward payment of the members' share of the operating costs of the system.

Sec. 13. Section 46, chapter 80, Laws of 1947 and RCW 41.32.460 are each amended to read as follows:

The deductions from salaries of members of the retirement system for their contributions to the system are not considered diminution of pay and every member is conclusively presumed to consent thereto as a condition of (his) employment. All contributions to the annuity fund shall be credited to the individual for whose account the deductions from salary were made. ~~((Regular interest shall be credited to each member's account at the end only of each fiscal year, based upon the balance in his account at the beginning of the year.))~~ Regular interest shall be credited to each member's account at least annually.

Sec. 14. Section 7, chapter 35, Laws of 1970 ex. sess. as last amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32.4943 are each amended to read as follows:

The funds necessary for the payment of benefits under subsections (4), (5), (6) and (7) of RCW 41.32.4932, 41.32.493, 41.32.4931, 41.32.494, 41.32.561 and the funds required for the payment of benefits under RCW 41.32.480, 41.32.497, 41.32.498, ~~((and))~~ 41.32.550, and 41.32.567 shall be provided in accordance with RCW 41.32.401.

Sec. 15. Section 51, chapter 80, Laws of 1947 as last amended by section 17, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.510 are each amended to read as follows:

Should a member cease to be employed ~~((in the public schools of this state))~~ by an employer and request upon a form provided by the ((board of trustees)) department a refund of ((his)) the member's accumulated contributions with interest ((to the June 30th next preceding)), this amount shall be paid to ((him)) the individual less any withdrawal fee which may be assessed by the ((board of trustees)) director which shall be deposited ((to)) in the department of retirement systems expense fund. The amount withdrawn, together with interest as determined by the director must be paid if ((he)) the member desires to reestablish ((his)) the former service credits. ((Upon termination of membership, interest on accumulated contributions in the annuity fund shall cease and all accumulated contributions unclaimed after the expiration of ten years thereafter become an integral part of the income fund.)) Termination of employment with one employer for the specific purpose of accepting employment with another employer or termination with one employer and reemployment with the same employer, whether for the same school year or for the ensuing school year, shall not qualify a member for a refund of ((his)) the member's accumulated contributions. A member who files an application for a refund of ((his)) the member's accumulated contributions and subsequently enters into a contract for or resumes public school employment before a refund payment has been made shall not be eligible for such payment.

Sec. 16. Section 8, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.567 are each amended to read as follows:

(1) Effective July 1, 1974, the pension portion of the retirement allowance being paid to all retirees who retired on or before June 30, 1970, shall be increased in an amount equal to 11.9 percent of that portion.

(2) Effective July 1, 1974, the pension portion of the retirement allowance being paid to all retirees who retired on or after July 1, 1970 through and including June 30, 1973, shall be increased in an amount equal to 2.9 percent of that portion.

(3) Solely for the purposes of RCW 41.32.499, the initial date of payment of the pension portion of the retirement allowance which is increased by this section shall be deemed to be July 1, 1973.

~~((4))~~ The funds necessary for the payment of benefits provided by subsections (1) and (2) of this section shall constitute a separate biennial appropriation transfer by the legislature from the state general fund to the teachers' retirement fund.))

are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the members accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all benefits under the provisions of RCW 41.32.755 through 41.32.825.

Sec. 17. Section 15, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.820 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the members accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of

receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all benefits under the provisions of RCW 41.32.755 through 41.32.825.

Sec. 18. Section 11, chapter 274, Laws of 1947 as last amended by section 4, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.100 are each amended to read as follows:

For the purpose of the internal accounting record of the retirement (~~(board)~~) system and not the segregation of moneys on deposit with the state treasurer there are hereby created the employees' savings fund, the benefit account fund, the income fund and such other funds as may from time to time be required.

(1) The employees' savings fund shall be the fund in which shall be accumulated the contributions from the compensation of members. The (~~(retirement board)~~) director shall provide for the maintenance of an individual account (~~((with))~~) for each member of the retirement system showing the amount of the member's contributions together with interest accumulations thereon. The contributions of a member returned to ((him)) the former employee upon ((his)) the individual's withdrawal from service, or paid in event of ((his)) the employee's or former employee's death, as provided in this chapter, shall be paid from the employees' savings fund. ((Any accumulated contributions forfeited by failure of a member, or his estate, to claim the same as provided for in this chapter shall be transferred from the employees' savings fund to the income fund.)) The accumulated contributions of a member, upon the commencement of (~~(his))~~ the individual's retirement, shall be transferred from the employees' savings fund to the benefit account fund.

(2) The benefit account fund shall be the fund in which shall be accumulated the reserves for the payment of all retirement allowances and death benefits, if any, in respect of any beneficiary. The amounts contributed by (~~(the))~~ all employers to provide pension benefits shall be credited to the benefit account fund. The benefit account fund shall be the fund from which shall be paid all retirement allowances, or benefits in lieu thereof because of which reserves have been transferred from the employees' savings fund to the benefit account fund. At the time a recipient of a retirement allowance again becomes a member there shall be transferred from the benefit account fund to the employees' savings fund and credited to the individual account of such a member a sum that shall be equal to the excess, if any, of ((his)) the individual's account at the date of ((his)) the member's retirement over any service retirement allowance received since that date.

(3) An income fund is hereby created for the purpose of crediting interest on the amounts in the various other funds with the exception of the department of retirement systems expense fund, and to provide a contingent fund out of which special requirements of any of the other funds may be covered. ((Transfers for such special requirements shall be made only when the amount in the income fund exceeds the ordinary requirements of such fund as evidenced by a resolution of the retirement board recorded in its minutes. The retirement board shall quarterly allow interest to each of the funds enumerated in subdivisions (1) and (2) of this section, and the amount so allowed shall be due and payable to said funds and shall be quarterly credited on the previous quarterly balance by the retirement board and paid from the income fund.)) The director shall determine when a distribution of interest and other earnings of the retirement system shall take place. The amounts to be credited and the methods for distribution to each of the funds enumerated in subdivisions (1) and (2) of this section and for special requirements previously mentioned in this subsection shall be at the director's discretion.

All accumulated contributions standing to the account of a terminated member (~~(and unclaimed after the expiration of fifteen years from the date of such termination))~~ except as provided in RCW 41.40.150(3) and (5), 41.40.170, 41.40.710, and 41.40.720 shall (~~(thereafter become an integral part of the income fund))~~ be transferred from the employees' savings fund to the income fund. If the former employee, the former employee's beneficiary, or the former employee's estate at a future date requests the unclaimed contributions or reinstatement of the rights previously provided thereunder, the former employee's contributions shall be transferred from the income fund to the savings fund and the former employee's account reestablished with all the rights which would have been due the former employee, the former employee's beneficiary, or the former employee's estate as if in fact the transfer to the income fund had not occurred. All income, interest, and dividends derived from the deposits and investments authorized by this chapter shall be paid into the income fund with the exception of interest derived from sums deposited in the department of retirement systems expense fund. The (~~(retirement board)~~) director on behalf of the retirement system is hereby authorized to accept gifts and bequests. Any funds that may come into the possession of the retirement system in such manner, or any funds which may be transferred from the employees' savings fund by reason of lack of claimant, or because of a surplus in any fund created by this chapter, or any other moneys the disposition of which is not otherwise provided for (~~(herein))~~), shall be credited to the income fund.

(~~(The board shall have sole discretion to determine the amount of interest to be credited to the employees' savings fund which will thereupon be credited as regular interest to the individual members' accounts. The board may specifically allocate not more than one percent per annum of the investment earnings for the purpose of making sufficient funds available to facilitate the adjustment in service retirement allowances provided by RCW 41.40.195 as now or hereafter amended.))~~)

Sec. 19. Section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120 are each amended to read as follows:

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers, as defined in this chapter (~~(who have served at least six months without interruption or who are employed, appointed or elected on or after July 1, 1965))~~), with the following exceptions:

- (1) Persons in ineligible positions;

(2) Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee;

(3) Persons holding elective offices or persons appointed directly by the governor: PROVIDED, That such persons shall have the option of applying for membership and to be accepted by the action of the ~~((retirement board))~~ director, such application for those taking elective office for the first time after May 21, 1971, shall be submitted within eight years of the beginning of their initial term of office: AND PROVIDED FURTHER, That any such persons previously denied service credit because of any prior laws excluding membership which have subsequently been repealed, shall nevertheless be allowed to recover or regain such service credit denied or lost because of the previous lack of authority: AND PROVIDED FURTHER, That any persons holding elective offices or persons appointed by the governor who are members in the retirement system and who have, prior to becoming such members, previously held an elective office, and did not at the start of such initial or successive terms of office exercise their option to become members, may apply for membership and be accepted by action of the ~~((retirement board))~~ director, to be effective during such term or terms of office, and shall be allowed to recover or regain the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employee and employer contributions therefor by the employer or employee: AND PROVIDED FURTHER, That any person who was an elected official eligible to apply for membership pursuant to this subsection, who failed to exercise that option while holding such elected office and who is now a member of the retirement system, shall have the option to recover service credit for such elected service upon payment to the retirement system of the employee and employer contributions which would have been made had the person been a member during the period of such elective service;

(4) Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan: PROVIDED, HOWEVER, In any case where the ~~((state employees'))~~ retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, such an employee shall be allowed membership rights should the agreement so provide: AND PROVIDED FURTHER, That an employee shall be allowed membership if otherwise eligible while receiving survivor's benefits ~~((as secondary payee under the optional retirement allowances as provided by RCW 41.40.190 or 41.40.185));~~

(5) Patient and inmate help in state charitable, penal, and correctional institutions;

(6) 'Members' of a state veterans' home or state soldiers' home;

(7) Persons employed by an institution of higher learning or community college, primarily as an incident to and in furtherance of their education or training, or the education or training of a spouse;

(8) Employees of an institution of higher learning or community college during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

(9) Persons rendering professional services to an employer on a fee, retainer, or contract basis or ~~((as an incident to the private))~~ when the income from these services is less than fifty percent of the gross income received from the person's practice of a profession;

(10) Persons appointed after April 1, 1963, by the liquor control board as agency vendors(:);

(11) Employees of a labor guild, association, or organization: PROVIDED, That elective officials and employees of a labor guild, association, or organization which qualifies as an employer within this chapter shall have the option of applying for membership ~~((and to be accepted by the action of the retirement board));~~

(12) Persons hired in eligible positions on a temporary basis for a period not to exceed six months: PROVIDED, That if such employees are employed for more than six months in an eligible position they shall become members of the system(:);

(13) Persons employed by or appointed or elected as an official of a first class city that has its own retirement system: PROVIDED, That any member elected or appointed to an elective office on or after April 1, 1971, shall have the option of continuing ~~((his membership in))~~ as a member of this system in lieu of becoming a member of the city system. A member who ~~((so))~~ elects to ~~((maintain his membership))~~ continue as a member of this system shall ~~((make his))~~ pay the appropriate member contributions and the city shall pay the employer contributions at the rates prescribed by this chapter. The city shall also transfer to this system all of such member's accumulated contributions together with such further amounts as necessary to equal all employee and employer contributions which would have been paid into this system on account of such service with the city and thereupon the member shall be granted credit for all such service. Any city that becomes an employer as defined in RCW 41.40.010(4) as the result of an individual's election under the first proviso of this subsection shall not be required to have all employees covered for retirement under the provisions of this chapter. Nothing in this subsection shall prohibit a city of the first class with its own retirement system from transferring all of its current employees to the retirement system established under this chapter. Notwithstanding any other provision of this chapter, persons transferring from employment with a first class city of over four hundred thousand population that has its own retirement system to employment with the state department of agriculture may elect to remain within the retirement system of such city and the state shall pay the employer contributions for such persons at like rates as prescribed for employers of other members of such system;

(14) Employees who (a) are not citizens of the United States, (b) do not reside in the United States, and (c) perform duties outside of the United States;

(15) Employees who (a) are not citizens of the United States, (b) are not covered by chapter 41.48 RCW, (c) are not excluded from membership under this chapter or chapter 41.04 RCW, (d) are residents of this state, and (e) make an irrevocable election to be excluded from membership, in writing, which is submitted to the director within thirty days after employment in an eligible position;

(16) Employees who are citizens of the United States and who reside and perform duties for an employer outside of the United States: PROVIDED, That unless otherwise excluded under this chapter or chapter 41.04 RCW, the employee may apply for membership (a) within thirty days after employment in an eligible position and membership service credit shall be granted from the first day of membership service, and (b) after this thirty-day period, but membership service credit shall be granted only from the date of application.

Sec. 20. Section 16, chapter 274, Laws of 1947 as last amended by section 10, chapter 249, Laws of 1979 ex. sess. and RCW 41.40.150 are each amended to read as follows:

Should any member die, or should the individual separate or be separated from service without leave of absence before attaining age sixty years, or should the individual become a beneficiary, except a beneficiary of an optional retirement allowance as provided by RCW 41.40.185 or 41.40.190, the individual shall thereupon cease to be a member except;

(1) As provided in RCW 41.40.170.

(2) An employee not previously retired who reenters service shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions with interest as computed by the director, which restoration must be completed within a total period of five years of membership service following ~~((his)) the member's~~ first resumption of employment, be returned to the status, either as an original member or new member which ~~((he)) the member~~ held at time of separation ~~((PROVIDED, That any member who reentered service outside the ten-year period formerly provided by this subsection, and by reason of the former language of this section was not allowed to restore withdrawn contributions, shall have two years from April 25, 1973 to restore said contributions. AND PROVIDED FURTHER, That any member who reentered service within the ten-year period formerly provided by this section, and who failed to restore withdrawn contributions within the three or five years previously allowed, shall now have two years from April 25, 1973 to restore said contributions, with interest as determined by the director)).~~

(3) A member who separates or has separated after having completed at least five years of service shall remain a member during the period of ~~((his))~~ absence from service for the exclusive purpose ~~((only))~~ of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may ~~((upon thirty days))~~ on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty-five: PROVIDED, That if such member should withdraw all or part of ~~((his))~~ the member's accumulated contributions ~~except those additional contributions made pursuant to RCW 41.40.330(2), ((he)) the individual~~ shall thereupon cease to be a member and this section shall not apply.

(4) (a) The recipient of a retirement allowance who ~~((has not yet reached the compulsory retirement age of seventy and who shall be))~~ is employed in an eligible position ~~other than under RCW 41.40.120(12))~~ shall be considered to have terminated his or her retirement status and ~~((he))~~ shall immediately become a member of the retirement system with the status of membership ~~((he had))~~ ~~the member held~~ as of the date of ~~((his))~~ retirement. Retirement benefits shall be suspended during the period of ~~((his))~~ eligible employment and ~~((he))~~ ~~the individual~~ shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered two uninterrupted years of service the type of retirement allowance ~~((he))~~ the member had at the time of ~~((his))~~ the member's previous retirement shall be reinstated, but no additional service credit shall be ~~((available))~~ allowed;

(b) The recipient of a retirement allowance ~~((who has not yet reached the compulsory retirement age of seventy, following his election))~~ elected to office or ~~((appointment))~~ appointed to office directly by the governor, and who shall apply for and be accepted in membership as provided in RCW 41.40.120(3) shall be considered to have terminated his or her retirement status and ~~((he))~~ shall become a member of the retirement system with the status of membership ~~((he had))~~ ~~the member held~~ as of the date of ~~((his))~~ retirement. Retirement benefits shall be suspended from the date of ~~((his))~~ return to membership until the date when ~~((he))~~ ~~the member~~ again retires and ~~((he))~~ the member shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered six uninterrupted months of service the type of retirement allowance ~~((he))~~ the member had at the time of ~~((his))~~ the member's previous retirement shall be reinstated, but no additional service credit shall be ~~((available))~~ allowed: AND PROVIDED FURTHER, That if such a recipient of a retirement allowance does not elect to apply for reentry into membership as provided in RCW 41.40.120(3), ~~((or should he have reached the age of seventy and be ineligible to apply as provided in RCW 41.40.125, he))~~ the member shall be considered to remain in a retirement status and ~~((his))~~ the individual's retirement benefits shall continue without interruption.

(5) ~~((Subject to the provisions of RCW 41.04.070, 41.04.080 and 41.04.100,))~~ Any member who leaves the employment of an employer and enters the employ of a public agency or agencies of the state of Washington, other than those within the jurisdiction of the ~~((state))~~ Washington public employees' retirement system, and who establishes membership in a retirement system or a pension fund operated by such agency or agencies and who shall continue ~~((his))~~ membership therein until attaining age sixty, shall remain a member for the exclusive purpose ~~((only))~~ of receiving a retirement allowance without the limitation found

in RCW 41.40.180(1) to begin on attainment of age sixty-five, however, such a member may (~~upon thirty days~~) on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits commencing at age sixty-five: PROVIDED, That if such member should withdraw all or part of (~~his~~) the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), (~~he~~) the individual shall thereupon cease to be a member and this section shall not apply.

Sec. 21. Section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180 are each amended to read as follows:

(1) (~~On and after April 1, 1949,~~) Any member with five years of creditable service who has attained age sixty and any original member who has attained age sixty may retire (~~upon his~~) on written application to the (~~retirement board~~) director, setting forth at what time (~~not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he~~) the member desires to be retired: PROVIDED, That in the national interest, during time of war engaged in by the United States, the (~~retirement board~~) director may extend beyond age sixty, subject to the provisions of subsection (2) of this section, the age at which any member may be eligible to retire.

(2) (~~On and after April 1, 1949,~~ any member who has attained age seventy shall be retired forthwith on the first day of the calendar month next succeeding that in which the said member shall have attained the age of seventy: PROVIDED, That a member who has attained the age of seventy is possessed of special skill in the performance of particular duties, the retirement board shall continue such member in service for such period or periods as may be applied for by the governing body of the political subdivision where the member is employed or the head of the department, agency, commission, board and offices of the state: PROVIDED FURTHER, That any member holding elective office, having a fixed term to which he has been elected, who has attained age seventy may continue to serve as an elective official and to receive retirement credit for such service:

(3) ~~On and after April 1, 1953,~~) Any member who has completed thirty years of service may retire on (~~his~~) written application to the (~~retirement board~~) director setting forth at what time (~~not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he~~) the member desires to be retired, subject to war measures.

(~~On and after May 21, 1971~~) (3) Any member who has completed twenty-five years of service and attained age fifty-five may retire on (~~his~~) written application to the (~~retirement board~~) director setting forth at (~~which~~) what time (~~not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he~~) the member desires to be retired, subject to war measures.

(~~5~~) (4) Any individual who is eligible to retire pursuant to subsections (1) through (~~4~~) (3) of this section shall be allowed to retire while on any authorized leave of absence not in excess of one hundred and twenty days.

(~~6~~) The retirement board is authorized to waive advance notice of retirement upon good cause shown:)

Sec. 22. Section 38, chapter 274, Laws of 1947 as last amended by section 63, chapter 151, Laws of 1979 and RCW 41.40.370 are each amended to read as follows:

(1) The (~~department~~) director shall ascertain and report to each employer the (~~amount it shall provide for pension benefits~~) contribution rates necessary to meet present and future pension liabilities of the system for the ensuing biennium or fiscal year, whichever is applicable (~~to the said employer's operations~~). The amount to be so provided shall be computed by applying the rates of contribution as established by RCW 41.40.361 or 41.40.650 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, or October 1, 1977, as the case may be, the amount to be collected as the employer's contribution (~~for pension benefits~~) shall be computed by applying the applicable rates established by RCW 41.40.361 or 41.40.650 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. (~~The department shall bill~~) Each said employer shall compute at the end of each month (~~for~~) the amount due for that month and the same shall be paid as are its other obligations (~~PROVIDED~~, That the department may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter).

(3) In the event of failure, for any reason, of an employer other than a political subdivision of the state to have remitted amounts due for membership service of any of the employer's members rendered during a prior biennium, the (~~department~~) director shall bill such employer through the director of financial management for such employer's contribution together with such charges as the director deems appropriate in accordance with RCW 41.50.120. Such billing shall be paid by the employer as, and the same shall be, a proper charge against any moneys available or appropriated to such employer for payment of current biennial payrolls. (~~If any such employer shall fail or refuse to honor such a billing, the director of financial management shall cause the same to be paid from any funds appropriated to the director of financial management for such purposes:~~)

Sec. 23. Section 14, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.730 are each amended to read as follows:

A member who ceases to be an employee of an employer except by service or disability retirement may request a refund of the member's accumulated contributions. The refund shall be made within ninety days following the receipt of the request and notification of termination through the contribution reporting system by the employer; except that in the case of death, an initial payment shall be made within thirty days of

receipt of request for such payment and notification of termination through the contribution reporting system by the employer. A member who files a request for refund and subsequently enters into employment with another employer prior to the refund being made shall not be eligible for a refund. The refund of accumulated contributions shall terminate all rights to benefits under RCW 41.40.610 through 41.40.740.

Sec. 24. Section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 77, Laws of 1980 and RCW 43.43.120 are each amended to read as follows:

As used in the following sections, unless a different meaning is plainly required by the context:

- (1) 'Retirement system' means the Washington state patrol retirement system.
- (2) 'Retirement fund' means the Washington state patrol retirement fund.
- (3) 'State treasurer' means the treasurer of the state of Washington.
- (4) 'Member' means any person included in the membership of the retirement fund.
- (5) 'Employee' means any commissioned employee of the Washington state patrol.
- (6) 'Cadet' is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.
- (7) 'Beneficiary' means any person in receipt of retirement allowance or any other benefit allowed by this chapter.
- (8) 'Regular interest' means interest compounded annually at such rates as may be determined by the ~~((retirement board))~~ director.
- (9) 'Retirement board' means the board provided for in this chapter.
- (10) 'Insurance commissioner' means the insurance commissioner of the state of Washington.
- (11) 'Lieutenant governor' means the lieutenant governor of the state of Washington.
- (12) 'Service' shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ~~((ten days))~~ seventy or more hours in any given calendar month shall constitute one month of service. An employee who is reinstated in accordance with RCW 43.43.110 shall suffer no loss of service for the period reinstated subject to the contribution requirements of this chapter. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.
- (13) 'Prior service' shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.
- (14) 'Current service' shall mean all service as a member rendered on or after August 1, 1947.
- (15) 'Average final salary' shall mean the average monthly salary received by a member during ~~((his))~~ the member's last two years of service or any consecutive two-year period of service, whichever is the greater, as an employee of the Washington state patrol, or if ~~((he))~~ the member has less than two years of service, then the average monthly salary received by ~~((him))~~ the member during ~~((his))~~ the member's total years of service.
- (16) 'Actuarial equivalent' shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the ~~((board))~~ director.
- (17) Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender.
- (18) 'Director' means the director of the department of retirement systems.
- (19) 'Department' means the department of retirement systems created in chapter 41.50 RCW.
- (20) 'State actuary' or 'actuary' means the person appointed pursuant to RCW 44.44.010(2).
- (21) 'Contributions' means the deduction from the compensation of each member in accordance with the contribution rates established under RCW 43.43.300.

Sec. 25. Section 43.43.230, chapter 8, Laws of 1965 and RCW 43.43.230 are each amended to read as follows:

Subject to the provisions of RCW 43.43.260, at retirement, the total service credited to a member shall consist of all ~~((his))~~ the member's current service and ~~((certified))~~ accredited prior service.

Sec. 26. Section 43.43.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 116, Laws of 1975-'76 2nd ex.-sess. and RCW 43.43.250 are each amended to read as follows:

(1) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty: PROVIDED, That the requirement to retire at age sixty shall not apply to a member serving as chief of the Washington state patrol.

(2) Any member who has completed twenty-five years of credited service or has attained the age of fifty-five may apply to retire as provided in RCW 43.43.260, ~~((on his retirement))~~ by completing and submitting an application form to the ((retirement board)) department, setting forth at what time((-, not less than thirty days subsequent to the execution and filing thereof, he)) the member desires to be retired.

~~((3) Any member who has ceased making contributions to the retirement fund because of having reached the maximum percentage of average final salary provided by a previous act may repay to the retirement fund those contributions which he would normally have made, if such restriction on service credit had not existed, by making these payments prior to retirement. The payment of these contributions will entitle the member to service credit as provided in RCW 43.43.260(2).))~~

Sec. 27. Section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260 are each amended to read as follows:

Upon retirement from service as provided in RCW 43.43.250, a member shall be granted a retirement allowance which shall consist of:

(1) A prior service ~~((annuity))~~ allowance which shall be equal to two percent of the member's average final salary multiplied by the number of years of prior service rendered by the member.

(2) A current service ~~((annuity))~~ allowance which shall be equal to two percent of the member's average final salary multiplied by the number of years of service rendered while a member of the retirement system.

(3) Any member with twenty-five years service in the Washington state patrol may have ~~((his))~~ the member's service in the armed forces credited ~~((to him))~~ as a member whether or not ~~((he))~~ the individual left the employ of the Washington state patrol to enter such armed forces: PROVIDED, That in no instance shall military service in excess of five years be credited: AND PROVIDED FURTHER, That in each instance, a member must restore all withdrawn accumulated contributions, which restoration must be completed on the date of ~~((his))~~ the member's retirement, or within five years of membership service following ~~((his))~~ the member's first resumption of employment, whichever occurs first: AND PROVIDED FURTHER, That this section shall not apply to any individual, not a veteran within the meaning of RCW 41.06.150, as now or hereafter amended: AND PROVIDED FURTHER, That in no instance shall military service be credited to any member who is receiving full military retirement benefits pursuant to Title 10 United States Code, as now or hereafter amended.

(4) In no event shall the total retirement benefits from subsections (1), (2), and (3) of this section, of any member exceed seventy-five percent of the member's average final salary.

(5) A yearly increase in retirement allowance which shall amount to two percent of the retirement allowance computed at the time of retirement. This yearly increase shall be added to the retirement allowance on July 1st of each calendar year.

The provisions of this section shall apply to all members presently retired and to all members who shall retire in the future. ~~((The retirement allowance of all members presently retired shall be recomputed and shall in the future be paid in accordance with the benefits provided in this section.))~~

Sec. 28. Section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270 are each amended to read as follows:

(1) The normal form of retirement allowance shall be an ~~((annuity))~~ allowance which shall continue as long as the member lives.

(2) If a member should die while in service ~~((his))~~ the member's lawful spouse shall be paid an ~~((annuity))~~ allowance which shall be equal to fifty percent of the average final salary of the member. If the member should die after retirement ~~((his))~~ the member's lawful spouse shall be paid an ~~((annuity))~~ allowance which shall be equal to the retirement allowance then payable to the member or fifty percent of the final average salary used in computing ~~((his))~~ the member's retirement allowance, whichever is less. The ~~((annuity))~~ allowance paid to the lawful spouse shall continue as long as ~~((she))~~ the spouse lives or until ~~((she))~~ the spouse remarries. To be eligible for an ~~((annuity))~~ allowance the lawful surviving spouse of a retired member shall have been married to the member prior to ~~((his))~~ the member's retirement and continuously thereafter until the date of ~~((his))~~ the member's death or shall have been married to the retired member at least two years prior to ~~((his))~~ the member's death.

(3) If a member should die, either while in service or after retirement, ~~((his))~~ the member's surviving children under the age of eighteen years shall be provided for in the following manner:

~~((a))~~ Each unmarried child under eighteen years of age shall be entitled to a benefit equal to five percent of the final average salary of the member or retired member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member or retired member.

(4) If a member should ~~((lose or has lost his life))~~ die in the line of duty while employed by the Washington state patrol, ~~((his))~~ the member's surviving children under the age of twenty years and eleven months if attending any high school, college, university, or vocational or other educational institution accredited or approved by the state of Washington shall hereafter be entitled to a benefit equal to five percent of the final average salary of the member. The combined benefits to the surviving spouse and all children shall not exceed sixty percent of the final average salary of the member: PROVIDED, That if a beneficiary under this section shall reach the age of twenty-one years during the middle of a term of enrollment the benefit shall continue until the end of said term.

(5) The provisions of this section shall apply to members who have been retired on disability as provided in RCW 43.43.040 if the officer was a member of the Washington state patrol retirement system at the time of such disability retirement and if all contributions paid to the retirement fund have been left in the retirement fund. In the event that contributions have been refunded to a member on disability retirement, he may regain eligibility for survivor's benefits by repaying to the retirement fund the total amount refunded to him plus two and one-half percent interest, compounded annually, covering the period during which the refund was held by him.

Sec. 29. Section 43.43.280, chapter 8, Laws of 1965 as last amended by section 5, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.280 are each amended to read as follows:

(1) If a member dies before retirement, and has no surviving spouse or children under the age of eighteen years, all contributions made by ~~((him))~~ the member with interest at two and one-half percent compounded annually shall be paid to such person or persons as ~~((he))~~ the member shall have nominated by

written designation duly executed and filed with the ~~((retirement board))~~ department, or if there be no such designated person or persons, then to ~~((his))~~ the member's legal representative.

(2) If a member should cease to be an employee before attaining age sixty for reasons other than ~~((his))~~ the member's death, or retirement, ~~((he))~~ the individual shall thereupon cease to be a member except as provided under RCW 43.43.130 (2) and (3) and, ~~((he))~~ the individual may withdraw ~~((his))~~ the member's contributions to the retirement fund, with interest at two and one-half percent compounded annually, by making application therefor to the ~~((retirement board))~~ department, except that: A member who ceases to be an employee after having completed at least five years of service shall remain a member during the period of ~~((his))~~ the member's absence from employment for the exclusive purpose only of receiving a retirement allowance to begin at attainment of age sixty, however such a member may upon ~~((thirty days))~~ written notice to the ~~((board))~~ department elect to receive a reduced retirement allowance on or after age fifty-five which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty: PROVIDED, That if such member should withdraw all or part of ~~((his))~~ the member's accumulated contributions, ~~((he))~~ the individual shall thereupon cease to be a member and this subsection shall not apply.

Sec. 30. Section 43.43.290, chapter 8, Laws of 1965 and RCW 43.43.290 are each amended to read as follows:

~~((Should a member become permanently and totally disabled, as a direct and proximate result of injury received in the course of employment he shall receive))~~ A person receiving benefits under RCW 43.43.040 ~~((and during such period))~~ will be a nonactive member. ~~((If any nonactive member returns to active duty with the Washington state patrol, he shall be eligible to become an active member by paying into the retirement fund all contributions accumulated during the period of his disability))~~ If any person who is or has been receiving benefits under RCW 43.43.040 returns or has returned to active duty with the Washington state patrol, the person shall become an active member of the retirement system on the first day of reemployment. The person may acquire service credit for the period of disablement by paying into the retirement fund all contributions required based on the compensation which would have been received had the person not been disabled. To acquire service credit, the person shall complete the required payment within five years of return to active service or prior to retirement, whichever occurs first. Persons who return to active service prior to the effective date of this amendatory section shall complete the required payment within five years of the effective date of this amendatory section or prior to retirement, whichever occurs first. No service credit for the disability period may be allowed unless full payment is made. Interest shall be charged at the rate set by the director of retirement systems from the date of return to active duty or from the effective date of this amendatory section, whichever is later, until the date of payment. The Washington state patrol shall pay into the retirement system the amount which it would have contributed had the person not been disabled. The payment shall become due and payable, in total, when the person makes the first payment. If the person fails to complete the full payment required within the time period specified, any payments made to the retirement fund under this section shall be refunded with interest and any payment by the Washington state patrol to the retirement fund for this purpose shall be refunded.

Sec. 31. Section 43.43.310, chapter 8, Laws of 1965 as last amended by section 8, chapter 205, Laws of 1979 ex. sess. and RCW 43.43.310 are each amended to read as follows:

(1) The right of any person to a retirement allowance or optional retirement allowance under the provisions hereof and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided.

(2) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(3) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of members of the Washington state patrol or other public employees of the state of Washington.

~~((Deductions made in the past from retirement benefits are hereby expressly recognized, ratified and affirmed. Future deductions may only be made in accordance with this section.))~~

NEW SECTION. Sec. 32. There is added to chapter 2.12 RCW a new section to read as follows:

(1) The right of any person to a retirement allowance or optional retirement allowance under the provisions of this chapter and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided.

(2) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

(3) Subsection (1) of this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington.

(4) Deductions made in the past from retirement benefits are hereby expressly recognized, ratified, and affirmed. Future deductions may only be made in accordance with this section.

NEW SECTION. Sec. 33. There is added to chapter 41.50 RCW a new section to read as follows:

(1) Every employer participating in one or more of the retirement systems listed in RCW 41.50.030 shall fully cooperate in the administration of the systems in which its employees participate, including the distribution of information to employees, and shall accept and carry out all other duties as required by law, regulation, or administrative instruction.

(2) If an employee is entitled to retroactive service credit which was not previously established through no fault of the employee, or through an employer error which has caused a member's compensation or contributions to be understated or overstated so as to cause a loss to the retirement funds, the director may bill the employer for the loss, to include interest, if applicable. The employer contributions, with interest thereon, will be treated as if in fact the interest was part of the normal employer contribution and no distribution of interest received shall be required.

(3) Employer-paid employee contributions will not be credited to a member's account until the employer notifies the director in writing that the employer has been reimbursed by the employee or beneficiary for the payment. The employer shall have the right to collect from the employee the amount of the employee's obligation. Failure on the part of the employer to collect all or any part of the sums which may be due from the employee or beneficiary shall in no way cause the employer obligation for the total liability to be lessened.

NEW SECTION. Sec. 34. There is added to chapter 41.40 RCW a new section to read as follows:

The department of retirement systems shall make a review of each member employed by an employer being retired on and after July 1, 1982, and whose benefits are determined by RCW 41.40.185. The purpose of the review is to identify any retiree whose average compensation earnable for purposes of determining retirement benefits exceeds the average annual compensation during the two-year period immediately preceding the years used in computing retirement benefits by more than the percentage increase determined in subsection (1) of this section.

(1) For the retiree's average final compensation period, the basis for making the comparison required by this section shall be a percentage increase equal to one percentage point in excess of each of the average percentage general salary increases granted during such average final compensation period to all employees of that employer who are members of the retirement system under this chapter, adjusted for incremental increases for seniority and/or performance, and staff position changes.

(2) For all retirees identified in this section, the department shall calculate the increase in the basic retirement benefit which results from any increase in salary granted an employee in excess of the authorized salary increase. The department will then, utilizing tables developed by the state actuary, determine the extra pension cost attributable to exceeding such average and shall bill the retiree's employer, who shall remit the entire amount determined to the retirement system within thirty days, except that the director is empowered to omit billing for an amount less than fifty dollars.

(3) Any post-retirement increases resulting from the excess benefit identified in subsection (2) of this section shall be billed to the last employer as they occur on the basis set forth in subsection (2) of this section.

NEW SECTION. Sec. 35. There is hereby created a select committee which shall review the law enforcement officers' and fire fighters' (LEOFF) retirement system. The committee shall be made up of the following individuals: Four members of the Washington senate, two from each caucus, chosen by the president of the senate; four members of the house of representatives, two from each caucus, chosen by the speaker of the house; three members chosen by the governor, at least one of whom shall be a member of the LEOFF II system. Each member of the committee shall have an equal vote.

The legislature shall provide such staffing, technical assistance and support services as may be required to carry out committee business. All state, local and private agencies shall cooperate fully in the committee's work.

The committee's purposes shall include, but not be limited to, a review of the following issues regarding LEOFF: (1) The adequacy of retirement benefits; (2) the actuarial soundness of the system; (3) the method of financing the system; (4) the membership eligibility requirements; (5) review of the administrative procedures within the system; and (6) review of the adequacy of labor and industries benefits for law enforcement officers and fire fighters and other high-risk professions.

The committee shall prepare a report, including any recommendations, for the January, 1983 session of the legislature. The committee shall cease to exist upon presentation of its report.

NEW SECTION. Sec. 36. The following acts or parts of acts are each repealed:

- (1) Section 21, chapter 200, Laws of 1953 and RCW 41.40.125;
- (2) Section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150;
- (3) Section 43.43.265, chapter 8, Laws of 1965 and RCW 43.43.265;
- (4) Section 43.43.266, chapter 8, Laws of 1965 and RCW 43.43.266; and
- (5) Section 5, chapter 12, Laws of 1969 and RCW 43.43.267.

NEW SECTION. Sec. 37. (1) Sections 9 and 34 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

(2) The remainder of this act shall take effect July 1, 1982.

On page 1, line 1 of the title, after "public service;" strike the remainder of the title and insert "amending section 18, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 205, Laws of 1979 ex. sess. and RCW 2.10.180; amending section 1, chapter 229, Laws of 1937 as last amended by section 4, chapter 106, Laws of 1973 and RCW 2.12.010; amending section 2, chapter 229, Laws of 1937 as

last amended by section 2, chapter 18, Laws of 1982 and RCW 2.12.020; amending section 5, chapter 229, Laws of 1937 as last amended by section 1, chapter 75, Laws of 1977 and RCW 2.12.050; amending section 15, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.540; amending section 1, chapter 80, Laws of 1947 as last amended by section 5, chapter 256, Laws of 1981 and RCW 41.32.010; amending section 3, chapter 80, Laws of 1947 as last amended by section 1, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.030; amending section 38, chapter 80, Laws of 1947 and RCW 41.32.380; amending section 11, chapter 14, Laws of 1963 ex. sess. as amended by section 15, chapter 87, Laws of 1980 and RCW 41.32.401; amending section 12, chapter 150, Laws of 1969 ex. sess. as amended by section 8, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.405; amending section 41, chapter 80, Laws of 1947 as last amended by section 13, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.410; amending section 46, chapter 80, Laws of 1947 and RCW 41.32.460; amending section 7, chapter 35, Laws of 1970 ex. sess. as last amended by section 1, chapter 148, Laws of 1975 1st ex. sess. and RCW 41.32.4943; amending section 51, chapter 80, Laws of 1947 as last amended by section 17, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.510; amending section 8, chapter 193, Laws of 1974 ex. sess. and RCW 41.32.567; amending section 15, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.820; amending section 11, chapter 274, Laws of 1947 as last amended by section 4, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.100; amending section 13, chapter 274, Laws of 1947 as last amended by section 6, chapter 33, Laws of 1975 and RCW 41.40.120; amending section 16, chapter 274, Laws of 1947 as last amended by section 10, chapter 249, Laws of 1979 ex. sess. and RCW 41.40.150; amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.180; amending section 38, chapter 274, Laws of 1947 as last amended by section 63, chapter 151, Laws of 1979 and RCW 41.40.370; amending section 14, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.730; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 77, Laws of 1980 and RCW 43.43.120; amending section 43.43.230, chapter 8, Laws of 1965 and RCW 43.43.230; amending section 43.43.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 116, Laws of 1975-'76 2nd ex. sess. and RCW 43.43.250; amending section 43.43.260, chapter 8, Laws of 1965 as last amended by section 3, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.260; amending section 4, chapter 180, Laws of 1973 1st ex. sess. as amended by section 3, chapter 14, Laws of 1973 2nd ex. sess. and RCW 43.43.270; amending section 43.43.280, chapter 8, Laws of 1965 as last amended by section 5, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.280; amending section 43.43.290, chapter 8, Laws of 1965 and RCW 43.43.290; amending section 43.43.310, chapter 8, Laws of 1965 as last amended by section 8, chapter 205, Laws of 1979 ex. sess. and RCW 43.43.310; adding a new section to chapter 2.12 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; creating new sections; repealing section 21, chapter 200, Laws of 1953 and RCW 41.40.125; repealing section 43.43.150, chapter 8, Laws of 1965 and RCW 43.43.150; repealing section 43.43.265, chapter 8, Laws of 1965 and RCW 43.43.265; repealing section 43.43.266, chapter 8, Laws of 1965 and RCW 43.43.266; repealing section 5, chapter 12, Laws of 1969 and RCW 43.43.267; providing an effective date; and declaring an emergency."

Signed by Representatives Chandler, Chairman; Struthers, Vice Chairman; Sommers, Ranking Minority Member; Greengo, McDonald, Nisbet, Thompson, Williams.

Voting nay: Representative Warnke.

Not attending: Representative Becker.

Passed to Committee on Rules for second reading.

The Speaker declared the House to be at ease until 5:15 p.m.

The Speaker called the House to order at 5:15 p.m.

MESSAGES FROM THE SENATE

March 25, 1982

Mr. Speaker:

The Senate has failed to pass:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1102,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1982

Mr. Speaker:

The Senate has failed to pass:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1039,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

March 31, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1165,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1165.

MOTION

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 784, by Committee on Appropriations - Education (originally sponsored by Committee on Appropriations - Education and Representative McDonald - by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

The bill was read the second time. On motion of Mr. McDonald, Second Substitute House Bill No. 784 was substituted for Engrossed Substitute House Bill No. 784, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 784 was read the second time.

On motion of Mr. McDonald, the following amendments were adopted:

On page 8, line 6 after "education" insert "or is employed for an academic department in support of the instructional or research programs"

On page 8, line 10 strike "staff member," and insert "staff member or"

On page 8, line 11 beginning with "or" strike all matter through "programs" on line 13.

On page 25, line 30 after "2nd ex. sess." insert "and by chapter ... (Engrossed Substitute Senate Bill No. 4369), Laws of 1982 1st ex. sess.,"

On page 26, line 1 after "2nd ex. sess.," insert "and by chapter ... (Engrossed Substitute Senate Bill No. 4369), Laws of 1982 1st ex. sess.,"

On page 26, line 6 starting with "general" strike all material through "RCW 28B.80.240." and insert "state general fund is appropriated to the Council for Post Secondary Education to be used to supplement the state financial aid programs authorized under RCW 28B.80.240."

The bill was ordered engrossed.

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. Heck spoke against the motion.

MOTIONS

On motion of Mr. Nelson (G), further consideration of Engrossed Second Substitute House Bill No. 784 was deferred.

On motion of Mr. Nelson (G), Engrossed Substitute Senate Bill No. 4216 was placed on the calendar for immediate consideration.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216, by Committee on Commerce and Labor (originally sponsored by Senator Quigg):

Modifying provisions relating to unemployment compensation.

The bill was read the second time.

Committee on Labor and Economic Development recommendation: Majority, do pass as amended. (For amendments, see Journal, 18th Day 1st ex. sess., March 29, 1982.)

On motion of Mr. Sanders, the committee amendments to page 9, line 21 and to page 16, line 7 were adopted.

Mr. Sanders moved adoption of the committee amendment to page 18, line 5.

Mr. Sanders spoke in favor of the amendment, and Mr. King (J) spoke against it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment to page 18, line 5 of Engrossed Substitute Senate Bill No. 4216, and the amendment was adopted by the following vote: Yeas, 52; nays, 43; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barrett, Bender, Berleen, Brekke, Brown, Burns, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Becker, Cole, King R.

The Speaker called on Mr. Amen to preside.

Mr. Clayton moved adoption of the following amendment:

On page 18, after line 18 insert the following:

*NEW SECTION. Sec. 20. There is added to chapter 50.24 RCW a new section to read as follows:

(1) Contributions shall accrue and become payable by each individual in employment covered under this title (except those individuals whose employers make payments in lieu of contributions) at the rate of one and five-tenths percent of wages paid to that individual which are subject to tax under RCW 50.24.010 for the applicable calendar year: PROVIDED, That individuals employed by a county, city, or town which has not elected to make payments in lieu of contributions shall make contributions under this section at a rate equal to one-half of the applicable employer's rate of contribution as determined under RCW 50.44.035.

(2) The contributions required under this section are payable and shall be deducted, as prescribed by the commissioner by rule, from the individual's wages by his or her employer and shall be held in trust by the employer for the commissioner until they are paid to the commissioner, in the manner prescribed by the commissioner by rule, for deposit in the unemployment compensation fund. These contributions are not subject to garnishment or attachment and are not considered assets of the employer for the purposes of liens, judgments, or bankruptcy proceedings. The contributions required under this section shall be collected from the employer in the manner provided under this title for employer contributions.

(3) Any employer who fails to make the deductions required under this section is liable to the commissioner for payment of the amount of the required contributions. Any employer who misappropriates or converts to his or her own use any funds held in trust under this section shall pay the amount misappropriated or converted, plus a penalty equal to five times that amount or twenty-five dollars, whichever is greater. Any amount required under this subsection shall be paid to the commissioner for deposit in the unemployment compensation fund.

(4) Employers shall maintain a record of the amount deducted from each employee's wages for contributions under this section and shall furnish a statement of the deductions to each employee at the times and in the manner the commissioner prescribes by rule. No deduction may be made from those wages paid to an employee during a calendar year which are in excess of the wages subject to contributions for that year under this section. If an employee in the employ of two or more employers earns wages totaling more than \$10,800 in calendar year 1982 or \$11,400 in calendar year 1983, or if an employer makes a deduction from an employee's wages in excess of the wages subject to contributions by the employee during a calendar year, the amount deducted in excess of that amount required by this section shall be refunded to the employee upon application under rules prescribed by the commissioner. An application for a refund under this section must be made during the calendar year after the calendar year in which the deductions are made.

(5) This section shall apply to wages paid on or after July 1, 1982, through December 31, 1983. In determining contributions payable under this section for July 1, 1982, through December 31, 1982, individuals shall be given credit as if contributions had been paid under this section on wages paid on or after January 1, 1982, through June 30, 1982.

(6) To the extent they are consistent with this section, the provisions of this title relating to employer contributions shall apply to the contributions required under this section.

Sec. 21. Section 8, chapter 35, Laws of 1945 as last amended by section 1, chapter 3, Laws of 1971 and RCW 50.04.070 are each amended to read as follows:

'Contributions' means the money payments due to the state unemployment compensation fund as provided in RCW 50.24.010 and section 20 of this 1982 act.

Sec. 22. Section 89, chapter 35, Laws of 1945 as last amended by section 9, chapter 33, Laws of 1977 ex. sess. and RCW 50.24.010 are each amended to read as follows:

Contributions shall accrue and become payable by each employer (except employers as described in RCW 50.44.010 who have properly elected to make payments in lieu of contributions and those employers who are required to make payments in lieu of contributions) for each calendar year in which the employer is subject to this title at the rate of two and seven-tenths percent of wages paid each employee, except for such rates as determined for qualified employers according to chapter 50.29 RCW: PROVIDED, That if, as of any June 30th, the amount in the unemployment compensation fund is less than three and one-half percent

of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, contributions for the following calendar year for all employers shall be payable at the rate of three percent of wages subject to tax.

The amount of wages subject to tax for each individual as of January 1, 1971, shall be four thousand two hundred dollars. If the amount in the unemployment compensation fund on any June 30th, after January 1, 1971, is less than four and one-half percent of total remuneration paid by all employers during the preceding calendar year and reported on or before the March 31st following such year, the amount of wages subject to tax shall increase on the January 1st next following by six hundred dollars: PROVIDED, That the amount of wages subject to tax in any calendar year shall not exceed eighty percent of the 'average annual wage' for the second preceding calendar year rounded to the next lower multiple of three hundred dollars.

In making computations under this section and RCW 50.29.010, wages paid based on services for employers making payments in lieu of contributions shall not be considered remuneration. Moneys paid from the fund, based on services performed for employers who make payments in lieu of contributions, which have not been reimbursed to the fund as of any June 30 shall be deemed an asset of the unemployment compensation fund, to the extent that such moneys exceed the amount of payments in lieu of contributions which the commissioner has previously determined to be uncollectible: PROVIDED, FURTHER, That the amount attributable to employment with the state shall also include interest as provided for in RCW 50.44.020.

Contributions shall become due and be paid by each employer to the treasurer for the unemployment compensation fund in accordance with such regulations as the commissioner may prescribe(;-and). Contributions required under this section shall not be deducted, in whole or in part, from the remuneration of individuals in employment of the employer. Any deduction in violation of the provisions of this section shall be unlawful.

In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

NEW SECTION. Sec. 23. Sections 20, 21, and 22 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Renumber the sections consecutively and correct any internal references accordingly.

Representative Clayton spoke in favor of the amendment, and Representatives Erak, Patrick, King (J), O'Brien and Heck spoke against it.

Mr. Clayton spoke again in favor of the amendment.

Mr. Grimm demanded an electric roll call vote and the demand was sustained.

Mr. Scott spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Clayton to Substitute Senate Bill No. 4216, and the amendment was not adopted by the following vote: Yeas, 7; nays, 87; not voting, 4.

Voting yea: Representatives Barnes, Bond, Clayton, Fancher, Flanagan, Nickell, Smith.

Voting nay: Representatives Addison, Amen, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Cole, King R., Lux.

On motion of Mr. Sanders, the committee amendment to the title was adopted.

MOTIONS

On motion of Mr. Nelson (G), further consideration of Engrossed Substitute Senate Bill No. 4216 was deferred, and it was ordered to retain its place on the second reading calendar.

On motion of Mr. Nelson (G), Engrossed Senate Bill No. 4640 was placed on the calendar for immediate consideration.

The Speaker resumed the Chair.

ENGROSSED SENATE BILL NO. 4640, by Senators Scott, Zimmerman and Gaspard (by Department of Retirement request):

Revising laws relating to retirement from public service.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see today's Journal, Reports of Standing Committees.)

On motion of Mr. Chandler, the committee amendments were adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4640 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Garrett, Martinis, Maxie, Schmidt, Scott.

Not voting: Representatives Cole, King R., Lux.

Engrossed Senate Bill No. 4640 as amended by the House, having received the constitutional majority, was declared passed There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I voted "Nay" on Engrossed Senate Bill No. 4640 as amended by the House, and I meant to vote "Yea." Please accept this correction.

KAREN SCHMIDT, 23rd District.

SENATE AMENDMENTS TO HOUSE BILL

March 30, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 808 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Section 1. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) For design, site preparation including land acquisition at a nominal cost, and utilities for a 500-bed medium security corrections center the total cost of which shall be verified by the legislative budget committee with assistance from the department of general administration as provided in section 2(1) of this act.

General Fund—State Social and Health Services Construction Account
Appropriation \$ 9,750,000

(2) For design and site planning, including land acquisition for a 500-bed medium security corrections center. The total cost of construction of this 500-bed medium security corrections center shall be verified by the legislative budget committee as provided in section 2(2) of this act.

General Fund—State Social and Health Services Construction Account
Appropriation \$ 2,980,000

(3) To repair heating and ventilation systems at the McNeil Island Corrections Center: PROVIDED, That these funds shall not be expended until the department of general administration completes an engineering energy audit of this facility as authorized under RCW 43.19.675.

General Fund—State Social and Health Services Construction Account
Appropriation \$ 500,000

NEW SECTION, Sec. 2. (1) The department of corrections shall submit to the department of general administration a complete report concerning the design, program, square-footage analysis, and associated costs for the prison facilities identified in section 1(1) of this act. The report from the department of corrections shall be subject to review and analysis by the legislative budget committee in cooperation with the department of general administration. The design procedures of the department of corrections shall be subject to analysis regarding the level of capital expenditures identified in section 1(1) of this act. This oversight process shall be accomplished by December 1, 1982, to avoid construction delays and cost overruns.

(2) The legislative budget committee shall conduct an analysis, including, but not limited to: The department of corrections' long-range facility plans, prison design selection process, alternate prison designs from other states, expanded use of existing facilities, review and possible expanded use of community corrections programs including the treatment alternatives to street crime diversion program and the Monroe House program, correctional standards, relevant court decisions, alternate staffing plans, prison design as it affects staffing costs, and inmate population projections and length of stay. The legislative budget committee shall report back to the institutions committee in the house of representatives and the social and health services committee in the senate by December 1, 1982.

Sec. 3. Section 1, chapter 234, Laws of 1981 and RCW 43.83H.172 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, improving, and equipping of social and health services and department of corrections facilities, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred ~~forty-seven~~ million ((eight)) two hundred eighty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83H.172 through 43.83H.182 may be offered for sale without prior legislative appropriation.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "corrections;" strike the remainder of the title and insert "amending section 1, chapter 234, Laws of 1981 and RCW 43.83H.172; adding a new section to chapter 143, Laws of 1981; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Nisbet moved that the House do concur in the Senate amendments to Substitute House Bill No. 808.

Representatives Nisbet, Houchen, Lewis, Owen and Fiske spoke in favor of the motion, and Representatives Becker, Nelson (D), Stratton and Scott spoke against it.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 808 as amended by the Senate.

POINT OF PARLIAMENTARY INQUIRY

Mr. Nisbet: "Mr. Speaker, how many votes are required to pass this bill?"

The Speaker: "Fifty-nine, Representative Nisbet; it is a bonding measure."

Mr. Nisbet spoke in favor of passage of the bill, and Ms. Becker spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 808 as amended by the Senate, and the bill received the required sixty percent majority, by the following vote: Yeas, 68; nays, 27; not voting, 3.

Voting yea: Representatives Addison, Barnes, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barr, Becker, Brekke, Burns, Eng, Erak, Gallagher, Heck, Kaiser, Maxie, Monohon, Nelson D., North, Padden, Pruitt, Rinehart, Rust, Scott, Stratton, Valle, Van Dyken, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Cole, King R., Lux.

Substitute House Bill No. 808 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 23, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise, words and phrases shall mean:

'District' means a public utility district as created under the laws of the state of Washington authorized to engage in the business of generating and/or distributing electricity.

'City' means any city or town in the state of Washington authorized to engage in the business of generating and/or distributing electricity.

'Canada' means Canada or any province thereof.

'Operating agency' or 'joint operating agency' means a municipal corporation created pursuant to RCW 43.52.360, as now or hereafter amended.

'Board of directors' means the board established under RCW 43.52.370.

'Executive board' means the board established under RCW 43.52.374.

'Board' means the board of directors of the joint operating agency unless the operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, in which case 'board' means the executive board.

'Public utility' means any person, firm or corporation, political subdivision or governmental subdivision including cities, towns and public utility districts engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy.

'Revenue bonds or warrants' means bonds, notes, bond anticipation notes, warrants, certificates of indebtedness, commercial paper, refunding or renewal obligations, payable from a special fund or revenues of the utility properties operated by the joint operating agency.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, ((or sell)) terminate, or decommission any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components; and

(b) ((Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds: PROVIDED, That the board may delegate this authority to the executive board;

(c) Appointment of a treasurer under RCW 43.52.375;

(d)) Election of members to and removal from the executive board under RCW 43.52.374((;

(e) Approve annual budgets submitted by the executive board; and

(f) ~~Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374).~~

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Seven members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the seven members of the executive board elected from among the members of the board of directors so as to ~~(afford fair representation which reflects)~~ reflect the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, including the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) Four members of the executive board shall be outside directors and shall be selected and appointed by the board of directors. The outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the board of directors shall choose by lot two outside directors to serve two-year terms and two to serve four-year terms. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the seven members elected from the board of directors. The outside directors may be paid additional compensation as established by the board of directors;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or ~~(be recognized experts)~~ have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. ~~((To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations.))~~ All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on ~~((July 28, 1981))~~ the effective date of this 1982 act, to which the provisions of this section are applicable:

(a) The board of directors shall elect seven members to the executive board no later than sixty days after ~~((July 28, 1981))~~ the effective date of this 1982 act; and

(b) The board of directors shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than ~~((ninety))~~ sixty days after ((July 28, 1981)) the effective date of this 1982 act, and the powers and duties prescribed in ~~((RCW 43.52.375, 43.52.378, and this section))~~ this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) ~~((Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational.))~~ Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith

performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

NEW SECTION, Sec. 4. (1) All personnel and employees of a board of directors or executive board or committee displaced by section 3 of this act shall become personnel and employees of the executive board created in section 3 of this act without any loss of rights, subject to any appropriate action thereafter.

(2) All pending business before a board of directors or executive board or committee which is replaced by the executive board created in section 3 of this act shall be continued and acted upon by the new executive board.

(3) This act shall not be construed to alter:

(a) Any existing rights acquired under laws relating to operating agencies;

(b) The status of any actions, activities, or civil or criminal proceedings of any existing operating agencies;

(c) The status of any collective bargaining agreements, indebtedness, contracts, or other obligations;

(d) Any valid resolutions, covenants, or agreements between an operating agency and members, participants in any electric generating facility, privately owned public utilities, or agencies of the federal government; or

(e) Any rules, resolutions, or orders adopted by a board of directors or executive board or committee until canceled or superseded.

NEW SECTION, Sec. 5. There is added to chapter 43.52 RCW a new section to read as follows:

Nonvoting legislative observers may be placed on the executive board of an operating agency by the legislature. An observer may be appointed by either the president of the senate or the speaker of the house of representatives, or both. Observers shall report as staff of the energy and utilities committee for the house in which the appointment is made.

Legislative observers shall sit with the executive board at all meetings, receive information routinely supplied to executive board members, and may participate in all discussions, briefings, and other activities of the executive board. Observers shall have unrestricted access to all personnel and documents of the operating agency.

Sec. 6. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. ((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.)) The treasurer shall be the chief financial officer of the operating agency, who shall report at least annually to the board a detailed statement of the financial condition of the operating agency and of its financial operations for the preceding fiscal year. The treasurer shall advise the board on all matters affecting the financial condition of the operating agency. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct.

The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. ((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board.))

The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: PROVIDED, That the board by resolution may authorize the ((executive committee or executive board)) managing director or any other bonded officer or employee as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business ((and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform)), including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties. All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

Sec. 7. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits (~~(including such engineering expertise as the executive board deems necessary);~~) which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 8. There is added to chapter 43.52 RCW a new section to read as follows:

For the purposes of this chapter, including but not limited to RCW 43.52.343, the best interests of all ratepayers affected by the joint operating agency and its projects shall determine the interest of the operating agency and its board.

Sec. 9. Section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) 'Public agency' means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature(-);

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) 'Governing body' means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency.

(3) 'Action' means the transaction of the official business of a public agency by a governing body including but not limited to a collective decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) 'Meeting' means meetings at which action is taken.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "agencies," strike the remainder of the title and insert "amending section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; amending section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; amending section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020; amending section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375; amending section 1, chapter 220, Laws of 1979 ex. sess. as

amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378; adding new sections to chapter 43.52 RCW; creating a new section; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Williams moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1217.

Mr. Williams spoke in favor of the motion.

MOTION

Mr. Hastings moved that the House do concur in the Senate amendments.

Representatives Hastings and Barnes spoke against the motion, and Mr. Nelson (D) spoke in favor of it.

The motion was lost.

The Speaker stated that the House, by its action, had refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1217, and asked the Senate to recede therefrom.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784:

The House resumed consideration of the bill on second reading.

The Speaker stated the question before the House to be the motion to suspend the rules and place the bill on final passage.

Mr. Hastings spoke in favor of the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and place Engrossed Second Substitute House Bill No. 784 on final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Cole, Eng, King R., Lux.

Engrossed Second Substitute House Bill No. 784 was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House resumed consideration of ENGROSSED SUBSTITUTE SENATE BILL NO. 4216 as amended by the House.

The Speaker stated that the bill had completed second reading, and it was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Thursday, April 1, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 1, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative King (R), who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Bykerk and Roger Hoyt. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 1, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1165,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGES FROM THE GOVERNOR

March 31, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 30, 1982, Governor Spellman approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 823: Relating to city or town local government assessments.

Sincerely,
Marilyn Showalter, Counsel.

March 31, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on March 31, 1982, Governor Spellman approved the following House Bills entitled:

- HOUSE BILL NO. 22: Relating to explosives;
- HOUSE BILL NO. 381: Relating to criminally insane;
- SUBSTITUTE HOUSE BILL NO. 448: Relating to beverage containers;
- HOUSE BILL NO. 621: Relating to animals;
- HOUSE BILL NO. 623: Relating to special license plates;
- SUBSTITUTE HOUSE BILL NO. 663: Relating to the initiative and referendum;
- HOUSE BILL NO. 728: Relating to appraisers;
- HOUSE BILL NO. 757: Relating to the certificate of need program;
- SUBSTITUTE HOUSE BILL NO. 848: Relating to child welfare;
- SUBSTITUTE HOUSE BILL NO. 852: Relating to nursing homes;
- SUBSTITUTE HOUSE BILL NO. 868: Relating to federal forest funds;
- SUBSTITUTE HOUSE BILL NO. 888: Relating to ballot format;
- HOUSE BILL NO. 897: Relating to arbitration;
- HOUSE BILL NO. 980: Relating to public assistance;
- HOUSE BILL NO. 999: Relating to library districts;
- HOUSE BILL NO. 1066: Relating to the criminal justice training commission;

SUBSTITUTE HOUSE BILL NO. 1130: Relating to uniform crime reports.

Sincerely,
Marilyn Showalter.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 808.

The Speaker declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative North.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE RESOLUTION NO. 82-168, by Representatives Williams, Thompson, Fiske, Maxie, Amen, Ellis, Monohon, Garson, Barnes, Kaiser, McGinnis, Vander Stoep, Kreidler, Pruitt, Rosbach, King (J) and Tilly:

WHEREAS, Most retirees in the state's pension systems do not get automatic postretirement cost-of-living increases; and

WHEREAS, The dramatic increases in the cost of living in recent years have eroded the purchasing power of retirement allowances; and

WHEREAS, Increases in the cost of living have had significant impact on the purchasing power of long-time retirees in particular; and

WHEREAS, The anticipated report from the executive branch of government on the issue of postretirement increases has not been forthcoming;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Committee on Appropriations-General Government shall proceed with an immediate interim study regarding options for postretirement increases for retirees, costs involved, methods of funding, and any other pertinent information. A report shall be issued by September 1, 1982, containing recommendations for consideration during the 1983 regular session of the Legislature.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Greengo.

Mr. Greengo: "Representative Williams, in reading through the resolution, I've noticed a lack of any mention of a question I had asked in Ways and Means Committee the other day. All of our retired citizens have had dramatic increases in the cost of living. Many of them are on fixed incomes, and I had asked about the feasibility of this study addressing the question of what special obligation does state government have to exstate employees that they do not have to other retired citizens, period? I notice that question is not covered in the resolution."

Mr. Williams: "We did not intend to cover that question; we could."

Mr. Thompson spoke in favor of the resolution.

House Resolution No. 82-168 was adopted.

MOTION

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784, by Committee on Ways and Means (originally sponsored by Committee on Appropriations - Education and Representative McDonald - by Office of Financial Management request):

Making miscellaneous changes in law relating to institutions of higher education.

The bill was read the third time and placed on final passage.

Representatives McDonald, Greengo and Taylor spoke in favor of passage of the bill, and Representatives Burns, Nelson (D) and Teutsch spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 784, and the bill passed the House by the following vote: Yeas, 50; nays, 47; not voting, 1.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, James, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Lux; Martinis, Maxie, McCormick, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representative North.

Engrossed Second Substitute House Bill No. 784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1099, by Committee on Appropriations - General Government and Representative Williams:

Revising forest fire protection assessments.

The bill was read the third time and placed on final passage.

Mr. Williams spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1099, and the bill passed the House by the following vote: Yeas, 73; nays, 22; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Gallagher, Galloway, Garson, Greengo, Grimm, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, King J., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Chamberlain, Cole, Ehlers, Eng, Erak, Fiske, Garrett, Granlund, Heck, Kaiser, King R., Lundquist, Nelson G. A., Nickell, Rinehart, Rosbach, Scott, Sprague, Vander Stoep, Walk, Warnke.

Not voting: Representatives Armstrong, North, Stratton.

Engrossed House Bill No. 1099, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative North appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 4216 as amended by the House, by Committee on Commerce and Labor (originally sponsored by Senator Quigg):

Modifying provisions relating to unemployment compensation.

The bill was read the third time and placed on final passage.

Representatives Sanders, King (J), Brekke, Ehlers, Erak and Heck spoke in favor of passage of the bill, and Representative Bond spoke against it.

Mr. Sanders spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4216 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund,

Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Bond.

Engrossed Substitute Senate Bill No. 4216 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Struthers, Engrossed Second Substitute House Bill No. 784, Engrossed House Bill No. 1099 and Engrossed Substitute Senate Bill No. 4216 as amended by the House were ordered immediately transmitted to the Senate.

ENGROSSED SENATE BILL NO. 4705 as amended by the House, by Senators Gallagher, Rasmussen, Shinpoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing the use of credit cards for state purchases.

The bill was read the third time and placed on final passage.

MOTIONS

On motion of Mr. Hastings, further consideration of Engrossed Senate Bill No. 4705 as amended by the House was deferred, and the bill was ordered to retain its place on the third reading calendar.

On motion of Mr. Hastings, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 4634, by Senator Scott:

Providing for adjustments in the apportionment of the state levy.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 14th Day 1st ex. sess., March 25, 1982.)

On motion of Mr. Greengo, the committee amendments were adopted.

On motion of Mr. Struthers, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4634 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representative King R.

Senate Bill No. 4634 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4841, by Committee on Ways and Means (originally sponsored by Senator Bluechel):

Modifying provisions relating to winter recreation.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson (G), Tilly and Struthers spoke in favor of passage of the bill, and Representatives Kaiser and Rust spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4841, and the bill passed the House by the following vote: Yeas, 56; nays, 41; not voting, 1.

Voting yea: Representatives Addison, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Garson, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Patrick, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Cole, Ehlers, Erak, Flanagan, Gallagher, Galloway, Garrett, Granlund, Grimm, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, Owen, Padden, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk.

Not voting: Representative Prince.

Substitute Senate Bill No. 4841, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 4864, by Committee on Local Government (originally sponsored by Senators Goltz and Kiskaddon):

Mandating opportunity to purchase certain lands from department of natural resources by certain educational institutions renting therefrom and having placed improvements thereon.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Dyken spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4864, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Substitute Senate Bill No. 4864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE CONCURRENT RESOLUTION NO. 138, by Senators Goltz, Jones and Quigg:

Establishing a Joint Select Committee on Expo '86.

The resolution was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Van Dyken spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 138, and the resolution was adopted by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Senate Concurrent Resolution No. 138, having received the constitutional majority, was declared adopted.

THIRD READING

ENGROSSED SENATE BILL NO. 4705:

The House resumed consideration of the bill on third reading.

POINT OF ORDER

Mr. Heck: "Mr. Speaker, I would ask you to rule on whether or not Engrossed Senate Bill No. 4705 falls within the terms of the cutoff resolution."

The Speaker: "Representative Heck, the Speaker will defer ruling on this at this time, and will invite any comments or suggestions from anybody as to what the thoughts are on this."

MESSAGE FROM THE SENATE

March 31, 1982

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

April 1, 1982

HOUSE BILL NO. 312, Prime Sponsor: Committee on Revenue, pertaining to state levies for common schools. Reported by Committee on Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Greengo, Chairman; Flanagan, Vice Chairman; Addison, Bickham, Bond, Hastings, Sanders.

MINORITY recommendation: Do not pass. Signed by Representatives Rinehart, Ranking Minority Member; Brown, Galloway, Rust.

Voting nay and not signing report: Representative Granlund.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Friday, April 2, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 2, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brown and Fiske, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michelle Coppedge and Patrick Eldridge. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 1, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 808,
 SUBSTITUTE SENATE BILL NO. 4841,
 SUBSTITUTE SENATE BILL NO. 4864,
 SENATE CONCURRENT RESOLUTION NO. 138,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 1, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4399,
 ENGROSSED SENATE BILL NO. 4402,
 ENGROSSED SENATE BILL NO. 4585,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4216,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MESSAGE FROM THE GOVERNOR

April 1, 1982

To the Honorable,
 The House of Representatives
 of the State of Washington
 Ladies and Gentlemen:

I have signed in its entirety SUBSTITUTE HOUSE BILL NO. 268, entitled "An Act Relating to motor vehicles." This bill requires the state to refuse to renew vehicle licenses until parking tickets on the vehicles have been paid.

I wish to express my concern that the costs of the state's administration of this program may not have been adequately provided for in the bill. Between now and July 1, 1984 — the effective date of the act — I encourage the legislature and the Department of Licensing to work together toward an efficient and adequately funded method of administering the program.

Respectfully submitted,
 JOHN SPELLMAN, Governor.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 4216,
 SUBSTITUTE SENATE BILL NO. 4841,
 SUBSTITUTE SENATE BILL NO. 4864,
 SENATE CONCURRENT RESOLUTION NO. 138.

The Speaker declared the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Brown and Fiske, who were excused.

MESSAGE FROM THE SENATE

March 31, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 4717 and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

March 31, 1982

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 4717 as amended by the House, giving free copies of state statutes and rules to legislative committees, have had the same under consideration, and we recommend that the following amendment be adopted:

Strike all of the bill and insert the following:

*AN ACT Relating to state publications; amending section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040; amending section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090; amending section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030; amending section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050; amending section 10, chapter 257, Laws of 1953 and RCW 1.08.060; amending section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050; adding a new section to chapter 40.04 RCW; and repealing section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 4, chapter 150, Laws of 1941 as last amended by section 1, chapter 162, Laws of 1981 and RCW 40.04.040 are each amended to read as follows:

Permanent session laws shall be distributed, sold, and/or exchanged by the state law librarian as follows:

(1) Copies shall be given as follows: One to each United States senator and representative in congress from this state; ~~((six)) two~~ to the Library of Congress; ~~((one to each United States executive department as defined by section 1, title 5, of the United States Code; three)) one~~ to the United States supreme court library; three to the library of the circuit court of appeals of the ninth circuit; ~~((one)) two~~ to each United States district court room within this state; ~~((one)) two~~ to each office and branch office of the United States district attorneys in this state; one to each state official whose office is created by the Constitution; ~~((one to the judge-advocate's office at Fort Lewis; one to each member of the legislature; session-law indexer.)) two~~ each to the president of the senate, secretary ~~((and assistant secretary))~~ of the senate, speaker of the house of representatives, and chief clerk ((and the assistant chief clerk)) of the house of representatives ~~((; the minute clerk and sergeant-at-arms of the two branches of the legislature of the sessions of which they occupied the offices and positions mentioned; one copy each to the Olympia representatives of the Associated Press and the United Press)) and such additional copies as they may request; fourteen copies to the code reviser; two copies to the state library; two copies to the law library of the University of Puget Sound law school; two copies to the law library of Gonzaga University law school; ((and)) two copies to the law libraries of any accredited law schools as are hereafter established in this state; one copy to each state adult correctional institution; and one copy to each state mental institution.~~

(2) Copies, for official use only, shall be distributed as follows: ~~((One to each state department and to each division thereof; one to each state official whose office is created by the Constitution, except)) Two~~

copies to the governor (~~(who shall receive three copies)~~); one each to the (~~(adjutant general, the)~~) state historical society(~~(;) and the state bar association(, and to each state institution; one copy for each assistant attorney general who maintains his office in the attorney general's suite, and one additional copy for his stenographer's room)~~); and one copy to each prosecuting attorney (~~(and one for each of his deputies)~~).

Sufficient copies shall be furnished for the use of the supreme court, ~~the court of appeals, the superior courts,~~ and the state law library as from time to time are needed. Eight copies shall be distributed to the University of Washington law library; one copy each to the offices of the president and the board of regents of the University of Washington, the dean of the University of Washington school of law, and to the University of Washington library; one copy to the library of each of the regional universities and to The Evergreen State College; one copy (~~(each)~~) to the president of the Washington State University and ~~four copies~~ to the Washington State University library. Six copies shall be sent to the King county law library, and one copy to each of the county law libraries organized pursuant to law (~~(in the counties of the first, second, and third class)~~); one copy to each public library in cities of the first class, and one copy to the municipal reference branch of the Seattle public library.

~~((At the convening of each session of the legislature the state law librarian shall deliver to the chief clerk of the house of representatives twenty copies, and to the secretary of the senate, ten copies, of the laws of the preceding general session and of any intervening session for the use of the legislators during the ensuing session but which shall be returned to the state law library at the expiration of the legislative session.~~

~~It shall be the duty of each county auditor biennially to submit to the state law librarian a list of county officers, including the prosecuting attorney and his regular full-time deputies and the justices of the peace and superior court rooms regularly used by a justice of the peace or superior court judge, and the correct number of bound copies of the session laws necessary for the official use only of such officers and court rooms will be sent, transportation collect, to said county auditor who shall be responsible for the distribution thereof to the county officials entitled to receive them:)~~

(3) Surplus copies of the session laws shall be sold and delivered by the state law librarian, in which case the price of the bound volumes shall be twenty dollars each. All moneys received from the sale of such bound volumes of session laws shall be paid into the state treasury for the general fund.

(4) The state law librarian is authorized to exchange bound copies of the session laws for similar laws or legal materials of other states, territories, and governments, and to make such other and further distribution of the bound volumes as in his judgment seems proper.

Sec. 2. Section 5, chapter 150, Laws of 1941 as last amended by section 13, chapter 87, Laws of 1980 and RCW 40.04.090 are each amended to read as follows:

The house and senate journals shall be distributed and/or sold by the state law librarian as follows:

(1) Sets shall be distributed as follows: One set to each (~~(member of the legislature,)~~) secretary and assistant secretary of the senate, chief clerk and assistant to the chief clerk of the house of representatives, and to each minute clerk and sergeant-at-arms of the two branches of the legislature of which they occupy the offices and positions mentioned. One to each official whose office is created by the Constitution, and one to each state department director; three copies to the University of Washington law library; two copies to the University of Washington library; one to the King county law library; one to the Washington State University library; one to the library of each of the regional universities and to The Evergreen State College; one to the law library of Gonzaga University law school; one to the law library of the University of Puget Sound law school; one to the law libraries of any accredited law school as hereafter established in this state; and one to each free public library in the state which requests it.

(2) (~~(A set of the)~~) House and senate journals of the preceding regular session during an odd- or even-numbered year, and of any intervening special session, shall be (~~(placed on the desk of each legislator for his use during the ensuing session; which shall be returned to the state law library at the expiration of the legislative session)~~) provided for use of legislators in such numbers as directed by the chief clerk of the house of representatives and secretary of the senate; and sufficient sets shall be retained for the use of the state law library.

(3) Surplus sets of the house and senate journals shall be sold and delivered by the state law librarian, in which case the price shall be (~~(fifteen)~~) thirty-five dollars plus postage for those of the regular sessions during an odd- or even-numbered year, and (~~(ten dollars)~~) at a price determined by the state printer to cover the costs of paper, printing, binding and postage for those of the special sessions, when separately bound, and the proceeds therefrom shall be paid to the state treasurer for the general fund.

(4) The state law librarian is authorized to exchange copies of the house and senate journals for similar journals of other states, territories, and/or governments, or for other legal materials, and to make such other and further distribution of them as in his judgment seems proper.

Sec. 3. Section 3, chapter 136, Laws of 1907 as last amended by section 2, chapter 6, Laws of 1969 and RCW 44.20.030 are each amended to read as follows:

The statute law committee, after each and every legislative session, whether regular or extraordinary, shall cause to be reproduced or printed for temporary use (~~(four thousand copies)~~) separate copies of each act filed in the office of secretary of state within ten days after the filing thereof(, and in the order of its chapter number).

The committee shall cause to be reproduced or printed three thousand copies or such additional number as may be necessary of temporary bound sets of all acts filed in the office of secretary of state within seventy-five days after the final adjournment of the legislature for that year.

Sec. 4. Section 5, chapter 136, Laws of 1907 as last amended by section 4, chapter 6, Laws of 1969 and RCW 44.20.050 are each amended to read as follows:

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been certified to the statute law committee, the code reviser employed by the statute law committee shall make the proper headings and index of such acts or laws and, after such work has been completed, the statute law committee shall have published and bound in good buckram at least ~~((two thousand))~~ six hundred copies or such additional copies as may be necessary of such acts and laws, with such headings and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate by the secretary of state of such referendum measures as may have been enacted by the people since the next preceding session.

NEW SECTION. Sec. 5. There is added to chapter 40.04 RCW a new section to read as follows:

The statute law committee, after each legislative session, shall furnish one temporary bound copy of each act as published under chapter 44.20 RCW to each member of the legislature at which such law was enacted, and to each state department or division thereof, commission, committee, board, and council, and to community colleges. Thirty-five copies shall be furnished to the senate and fifty copies to the house of representatives or such other number as may be requested. Two copies shall be furnished the administrator for the courts. One copy shall be furnished for each assistant attorney general; and one copy each to the Olympia representatives of the Associated Press and the United Press.

Each county auditor shall submit each year to the statute law committee a list of county officials requiring temporary session laws for official use only, and the auditor shall receive and distribute such copies to the county officials.

There shall be a charge of five dollars for each of the complete sets of such temporary publications when delivered to any person, firm, corporation, or institution excepting the persons and institutions named in this section. All moneys received from the sale of such temporary sets shall be transmitted to the state treasurer who shall deposit the same in the state treasury to the credit of the general fund.

Sec. 6. Section 10, chapter 257, Laws of 1953 and RCW 1.08.060 are each amended to read as follows: The committee may loan sets of the code and materials supplemental thereto

(1) for the use of senate committees, ~~((fifteen))~~ a quantity as required by advice from the secretary of the senate, not to exceed twenty-five sets;

(2) for use of the house committees, ~~((twenty))~~ a quantity as required by advice from the chief clerk of the house, not to exceed thirty-five sets;

(3) to the state law library for library use;

(4) for use of the reviser's office, as required;

(5) for use of recognized news reporting services maintaining permanent offices at the capitol, three sets.

The committee may exchange copies of RCW for codes or compilations of other states.

Sec. 7. Section 5, chapter 234, Laws of 1959 as last amended by section 12, chapter 186, Laws of 1980 and RCW 34.04.050 are each amended to read as follows:

(1) The code reviser shall, as soon as practicable after ~~((the effective date of this chapter))~~ March 23, 1960, compile and index all rules adopted by each agency and remaining in effect. Compilations shall be supplemented or revised as often as necessary and at least once every two years.

(2) The code reviser shall publish a register in which he shall set forth the text of all rules filed during the appropriate register publication period ~~((, excluding rules in effect upon the adoption of this chapter))~~.

(3) The code reviser may, in his discretion, omit from the register or the compilation, rules, the publication of which would be unduly cumbersome, expensive, or otherwise inexpedient, if such rules are made available in printed or processed form on application to the adopting agency, and if such register or compilation contains a notice stating the general subject matter of the rules so omitted and stating how copies thereof may be obtained.

(4) The code reviser may edit and revise rules for publication, codification, and compilation, without changing the meaning of any such rule, in accordance with the provisions of RCW 34.04.052.

(5) When a rule, in whole or in part, is declared invalid and unconstitutional by a court of final appeal, the adopting agency shall give notice to that effect in the register. With the consent of the attorney general, the code reviser may remove obsolete rules or parts of rules from the Washington Administrative Code when:

(a) The rules are declared unconstitutional by a court of final appeal; or

(b) The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

(6) Registers and compilations shall be made available, in written form to (a) state elected officials whose offices are created by Article II or III of the state Constitution or by RCW 48.02.010, upon request, (b) to the secretary of the senate and the chief clerk of the house for committee use, as required, but not to exceed the number of standing committees in each body, (c) to county boards of law library trustees ~~((;))~~ and to the Olympia representatives of the Associated Press and the United Press International without request, free of charge, and (d) to other persons at a price fixed by the code reviser.

(7) The board of law library trustees of each county shall keep and maintain a complete and current set of registers and compilations for use and inspection as provided in RCW 27.24.060.

(8) Judicial notice shall be taken of rules filed and published as provided in RCW 34.04.040 and this section.

NEW SECTION. Sec. 8. Section 4, chapter 136, Laws of 1907, section 2, chapter 27, Laws of 1933, section 2, chapter 31, Laws of 1933 ex. sess., section 3, chapter 6, Laws of 1969, section 2, chapter 162, Laws of 1981 and RCW 44.20.040 are each hereby repealed."

Signed by Senators Metcalf, Lee, Rasmussen; Representatives Williams, Struthers, Monohon.

MOTION

On motion of Mr. Williams, the Report of the Free Conference Committee was adopted.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Senate Bill No. 4717 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4717 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinchart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Brown, Fiske, McDonald.

Senate Bill No. 4717 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 as amended by the House, modifying appropriations for the 1981-83 fiscal biennium, have had the same under consideration, and we report that we cannot agree and request the powers of Free Conference in order to recommend certain amendments.

Signed by Senators Hayner, Scott; Representatives Nelson (G), Chandler, Sommers.

MOTION

On motion of Mr. Chandler, the Report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

SENATE AMENDMENT TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 736 with the following amendment:

On page 5, line 19 following "contribution" insert "and the average level of benefits" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Addison moved that the House do concur in the Senate amendment to House Bill No. 736.

Representative Addison spoke in favor of the motion, and Representatives Kreidler, Garson and Walk spoke against it.

Mr. Addison spoke again in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 736 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 736 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Bond, Brown, Fiske, Salatino.

House Bill No. 736 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1230, by Committee on Ways and Means (originally sponsored by Committee on Ways and Means and Representative Chandler):

Modifying appropriations for capital facilities.

The House resumed consideration of the bill on second reading. (For previous action, see Journal, 7th Day 1st ex. sess, March 18, 1982.)

Ms. Stratton moved adoption of the following amendments by Representatives Stratton, Barrett, Isaacson and McCormick:

On page 7, after line 8 insert:

"(a) Any remaining bond authorization of chapter 159, Laws of 1980 (\$196,000,000 as provided in section 3 of this 1982 act for waste facilities)."

Remember the remaining subsections consecutively.

On page 8, beginning on line 9 strike all material down to and including "facilities)." on line 11.

Representatives Stratton, Barrett and Van Dyken spoke in favor of the amendments.

POINT OF INQUIRY

Ms. Stratton yielded to question by Mr. Wang.

Mr. Wang: "Representative Stratton, I see under Priority (B) on page 7 that there are other bonds for waste and water facilities. Am I correct in assuming that this would be the prior bond issue for the same type of purpose, and this would then be moving the new bond issue for waste water facilities above the existing prior bond issue of 1972?"

Ms. Stratton: "I believe you're right."

Representatives Wang and Nisbet spoke against the amendments, and they were not adopted.

On motion of Mr. Thompson, the following amendments by Representatives Thompson, King (J), Galloway and Heck were adopted:

On page 18, after line 1 insert a new section as follows:

"Sec. 13. Section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080 are each amended to read as follows:

The secretary may enter into contracts with the appropriate authorities for the payment of the cost of feeding and lodging and other expenses of housing work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program. In addition the secretary is authorized to acquire, by lease or contract, appropriate facilities for the housing of work release participants and providing for their subsistence and supervision. Such work release participants placed in leased or contracted facilities shall be required to reimburse the department the per capita cost of subsistence and lodging in accordance with the provisions and in the priority established by RCW

72.65.050(2). The location of such facilities shall ((not)) be subject to the zoning laws of the city or county in which they may be situated."

Re-number the remaining section consecutively.

On page 1, line 8 of the title after "RCW 28B.146.900;" insert "amending section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080;"

On motion of Mr. Chandler, the following amendments to the title were adopted:

On page 1, line 1 of the title after "appropriations;" insert "providing for the planning, acquisition, construction, remodeling, furnishing, and equipping of a state fire service training center; providing for the financing thereof by the issuance of bonds; providing appropriations for a fire service training center, waste disposal facilities, and capital improvements for agencies of the state; providing prioritization of bond issuances;"

On page 1, line 8 of the title after "28B.14G.900;" insert "amending section 15, chapter 143, Laws of 1981 (uncodified); creating a new section; amending section 7, chapter 143, Laws of 1981 (uncodified);"

On page 1, line 9 of the title after "1981;" insert "adding a new section to chapter 43.99C RCW;"

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Chandler, North, Thompson and Stratton spoke in favor of passage of the bill, and Mr. Wang spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1230, and the bill passed the House by the following vote: Yeas, 71; nays, 24; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barrett, Becker, Bender, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Eberle, Ellis, Eng, Erak, Fancher, Gallagher, Galloway, Garrett, Garson, Greengo, Hankins, Hastings, Hine, Houchen, James, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Berleen, Dawson, Dickie, Ehlers, Flanagan, Granlund, Grimm, Heck, Isaacson, Johnson, Kaiser, Padden, Pruitt, Schmidt, Smith, Taylor, Valle, Vander Stoep, Walk, Wang, Winsley.

Not voting: Representatives Bond, Brown, Fiske.

Engrossed Substitute House Bill No. 1230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 312, by Committee on Revenue and Representative Greengo:

Pertaining to state levies for common schools.

The bill was read the second time. On motion of Mr. Greengo, Substitute House Bill No. 312 was substituted for House Bill No. 312, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 312 was read the second time.

On motion of Mr. Greengo, the following amendments were adopted:

On page 1, line 21 strike "subdivision" and insert "division"

On page 1, line 27 strike "plat" and insert "division of land"

On page 2, line 4 strike "subdivision, or plat" and insert "or division of land"

On page 2, line 19 strike "plat" and insert "division of land"

Mr. Van Dyken moved adoption of the following amendment:

On page 1, line 22 after "land," insert "Nor shall any county, city, town or other municipal corporation impose any tax, fee or other charge, either directly or indirectly, upon existing homeowners for the direct or indirect costs arising from the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, division, classification, or reclassification of other land."

Mr Van Dyken spoke in favor of the amendment, and Representatives Eberle and Barrett spoke against it.

Mr. Van Dyken spoke again in favor of the amendment, and Mr. Taylor spoke against it.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Ellis.

Mr. Ellis: "Representative Van Dyken, if your amendment hangs, how are those costs going to be paid?"

Mr. Van Dyken: "Representative Ellis, you pose an excellent question and part of the point of the amendment. If, as the proponents of the bill maintain, new development is good for the communities, then there isn't going to be any other indirect costs for that; all of the cost of the development will be paid for by the development. But if that is not true—if, indeed, there is a subsidy that's going to have to be paid in order to bring in that new development—all this says is that it's not going to be paid by the existing homeowners. If there are some fees in there—and everyone has been saying there really aren't costs associated with it—they had better figure out who is really going to pay for it. All this amendment says is who is not going to pay for it."

Mr. Nelson (G) spoke against the amendment.

The amendment was not adopted.

Substitute House Bill No. 312 was ordered engrossed and passed to Committee on Rules for third reading.

MESSAGE FROM THE SENATE

April 2, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 764,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 764.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 3:30 p.m., Saturday, April 3, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Saturday, April 3, 1982.

The House was called to order at 3:30 p.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Waisath and Staci Carlson. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 2, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 764,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4369, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 4634, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 4717, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4634,

SENATE BILL NO. 4717,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 2, 1982

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5006,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 736,
SENATE BILL NO. 4634,
SENATE BILL NO. 4717.

MESSAGES FROM THE GOVERNOR

April 1, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 1, 1982, Governor Spellman approved the following House Bills, entitled:

- SUBSTITUTE HOUSE BILL NO. 15: Relating to controlled substances;
- SUBSTITUTE HOUSE BILL NO. 221: Relating to solid waste;
- SUBSTITUTE HOUSE BILL NO. 268: Relating to motor vehicles;
- HOUSE BILL NO. 286: Relating to displaced homemakers;
- SUBSTITUTE HOUSE BILL NO. 313: Relating to revenue and taxation;
- HOUSE BILL NO. 410: Relating to social and health services;
- SUBSTITUTE HOUSE BILL NO. 419: Relating to reforestation;
- SUBSTITUTE HOUSE BILL NO. 626: Relating to pornography and moral nuisances;
- SUBSTITUTE HOUSE BILL NO. 696: Relating to city employee pension systems;
- HOUSE BILL NO. 745: Relating to crimes;
- HOUSE BILL NO. 752: Relating to motor carriers taxation;
- SUBSTITUTE HOUSE BILL NO. 762: Relating to state government;
- HOUSE BILL NO. 822: Relating to secured transactions;
- SUBSTITUTE HOUSE BILL NO. 824: Relating to payment of health care insurance benefits;
- SUBSTITUTE HOUSE BILL NO. 837: Relating to state employees;
- SUBSTITUTE HOUSE BILL NO. 849: Relating to the authority of certain educational agencies;
- HOUSE BILL NO. 859: Relating to environmental coordination procedures;
- HOUSE BILL NO. 864: Relating to a state task force on court congestion;
- SUBSTITUTE HOUSE BILL NO. 874: Relating to sentencing;
- SUBSTITUTE HOUSE BILL NO. 878: Relating to state government;
- HOUSE BILL NO. 883: Relating to hazardous materials liability;
- SUBSTITUTE HOUSE BILL NO. 887: Relating to mandatory arbitration of civil actions;
- HOUSE BILL NO. 894: Relating to razor clams;
- SUBSTITUTE HOUSE BILL NO. 902: Relating to insurance;
- HOUSE BILL NO. 907: Relating to the office of administrative hearings;
- SUBSTITUTE HOUSE BILL NO. 931: Relating to public works;
- HOUSE BILL NO. 964: Relating to real estate excise taxation;
- SUBSTITUTE HOUSE BILL NO. 1012: Relating to surveys and maps;
- SUBSTITUTE HOUSE BILL NO. 1024: Relating to sheltered workshops;
- HOUSE BILL NO. 1072: Relating to public employment;
- HOUSE BILL NO. 1092: Relating to the unfair cigarette sales act;
- SUBSTITUTE HOUSE BILL NO. 1131: Relating to commercial feed;
- HOUSE BILL NO. 1145: Relating to special purpose districts;
- HOUSE BILL NO. 1162: Relating to geoduck management.

Sincerely,
Marilyn Showalter, Counsel.

April 1, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to sections 6, 7 and 8, HOUSE BILL NO. 826, entitled:

"AN ACT Relating to the law revision commission."

This bill authorizes a new commission to propose reforms of our laws. The legislature, however, has not funded the Commission. I am vetoing those sections which authorize per diem, hiring of staff, and contracting with consultants because there are no supporting funds for those provisions.

Respectfully submitted,
JOHN SPELLMAN, Governor.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1236, by Representatives King (J), Galloway and Thompson:

AN ACT Relating to the work release program; amending section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080; and declaring an emergency.

To Committee on Institutions

ENGROSSED SENATE BILL NO. 4399, by Senate Shinpoch:

Relating to equalization of timber taxes on public and private property.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 4402, by Senators Shinpoch, Hansen and Goltz:

Relating to termination of certain retail sales tax exemptions and deferrals.

To Committee on Revenue

ENGROSSED SENATE BILL NO. 4585, by Senator Bottiger:

Modifying the public utility tax on state-wide natural gas companies.

To Committee on Revenue

SUBSTITUTE SENATE BILL NO. 5006, by Committee on Ways and Means (originally sponsored by Senators Gould and Scott):

Delaying legislative salary increases.

To Committee on Ways and Means

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, by Committee on Ways and Means (originally sponsored by Senator Scott):

Modifying provisions relating to vacation leave for public employees.

To Committee on Appropriations - General Government

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 147, by Senators Gould, Vognild, McCaslin, Jones and Ridder:

Establishing a Task Force to plan investment of state funds.

To Committee on Rules

MOTION

On motion of Mr. Nelson (G), the bills and resolution listed on today's agenda under the fourth order of business were considered first reading and referred to the committees designated.

MESSAGE FROM THE SENATE

April 3, 1982

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 4548,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 51, by Representatives McGinnis, Williams, James and Monohon:

Establishing the select committee on state data processing.

To Committee on Rules

REENGROSSED SENATE BILL NO. 4548, by Senators Haley, Charnley, Hemstad and Bluechel:

Requiring children under five in their parents' vehicles to be secured in a child passenger restraint system.

To Committee on Transportation

MOTION

On motion of Mr. Nelson (G), the bill and resolution listed on today's supplemental agenda under the fourth order of business were considered first reading and referred to the committees designated.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 7:00 p.m., Sunday, April 4, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FOURTH DAY

EVENING SESSION

House Chamber, Olympia, Wash., Sunday, April 4, 1982.

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, King (J), North, O'Brien and Wang. Representative O'Brien was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Phillip Hampton and Brett Barnts. Prayer was offered by The Reverend Richard Hart, Minister of the First Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

SECOND READING

REENGROSSED SENATE BILL NO. 3609, by Senators Bauer, Haley, Gaspard, McDermott, Bluechel, Rasmussen, Ridder, Lee, Zimmerman, Fleming and Hughes:

Establishing a temporary committee on educational policies, structure and management, and setting forth its duties, and providing for its abolishment.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 3609, and the bill passed the House by the following vote: Yeas, 64; nays, 11; not voting, 23.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Eberle, Ellis, Fancher, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kreidler, Lewis, Martinis, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Patrick, Prince, Pruitt, Rinehart, Rust, Sanders, Scott, Sherman, Smith, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Cantu, Clayton, Dickie, Ehlers, Garrett, James, Kaiser, Leonard, Lundquist, Padden, Stratton.

Not voting: Representatives Becker, Bender, Brown, Eng, Erak, Fiske, Hastings, King J., King R., Lux, Maxie, McDonald, North, O'Brien, Rosbach, Salatino, Schmidt, Sommers, Teutsch, Vander Stoep, Walk, Wang, Wilson.

Reengrossed Senate Bill No. 3609, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 312, by Committee on Revenue (originally sponsored by Committee on Revenue and Representative Greengo):

Prohibiting municipal corporations from imposing certain development fees, taxes and charges.

The bill was read the third time and placed on final passage.

Representatives Greengo, King (R), Taylor, Isaacson and Lundquist spoke in favor of passage of the bill, and Representatives Hine, Van Dyken, Rinehart and Kreidler spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 312, and the bill passed the House by the following vote: Yeas, 54; nays, 25; not voting, 19.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Grimm, Hankins, Heck, Houchen, Isaacson, James, Johnson, King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Walk, Warnke, Williams, Winsley.

Voting nay: Representatives Armstrong, Brekke, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, Granlund, Hine, Kaiser, Kreidler, Monohon, Nelson D., Patrick, Pruitt, Rinehart, Rust, Sherman, Teutsch, Thompson, Tupper, Valle, Van Dyken.

Not voting: Representatives Becker, Brown, Erak, Fiske, Hastings, King J., Lux, Maxie, McDonald, North, O'Brien, Rosbach, Salatino, Schmidt, Sommers, Vander Stoep, Wang, Wilson, and Mr. Speaker.

Engrossed Substitute House Bill No. 312, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Due to a malfunction of my switch on the voting machine, I was unable to vote on SHB 312. I had intended to vote "Yea."

WILLIAM M. POLK, Speaker.

MOTION

On motion of Mr. Nelson (G), Reengrossed Senate Bill No. 3609 and Engrossed Substitute House Bill No. 312 were ordered immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

April 4, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 736,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 4992, by Senators Hayner and Scott:

Modifying the tax advisory council.

The bill was read the second time.

On motion of Mr. Williams, the following amendment was adopted:

On page 1, line 13 strike "eleven" and insert "twelve"

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4992 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Ehlers, Grimm, Kaiser, Owen, Sherman, Walk.

Not voting: Representatives Becker, King J., North, O'Brien, Wang, Wilson.

Engrossed Senate Bill No. 4992 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

March 31, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of mr. Greengo, the House insisted on its position with regard to Engrossed Substitute Senate Bill No. 3783, and again asked the Senate to concur therewith.

SENATE AMENDMENTS TO HOUSE BILL

April 2, 1982

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1109 with the following amendments:

On page 4, line 22 before "each house" strike "of" and insert "elected to"

On page 5, line 9 beginning with subparagraph "(d)" strike everything down through "infrastructure;" on line 12.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendments to Substitute House Bill No. 1109.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1109 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1109 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 1; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Thompson.

Not voting: Representatives Becker, King J., North, O'Brien, Wang.

Substitute House Bill No. 1109 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

April 3, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1099 with the following amendments:

On page 1, line 22 following "PROVIDED FURTHER," strike everything down through and including "amount" on page 2, line 1 and insert the following: "That an owner of two or more parcels per county, each containing less than thirty acres, may obtain a certified list of such parcels from the county assessor and file it by January 1 each year with the department, which will collect from that owner one minimum assessment for all parcels. Should the total acreage of the parcels filed exceed 30 acres, the per-acre rate shall apply. If payment is not received within ten days of filing, the owner shall not be entitled to the exception contained in this proviso for that tax year and the assessments shall be collected as otherwise provided"

* On page 2, line 7 after "district." reinsert the stricken language down through and including "hear- ing:))" on line 10.

On page 2, line 15, after "incurred" reinsert the stricken language down through and including "ad- equate))" on line 19.

On page 5, line 4 after "dollars" insert the following: "PROVIDED, That the department may estab- lish a minimum assessment for ownership parcels containing less than thirty acres. The maximum assess- ment for these parcels shall not exceed the fees levied on a thirty acre parcel" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Engrossed House Bill No. 1099.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1099 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1099 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 76; nays, 17; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Brown, Cantu, Chandler, Clayton, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Greengo, Grimm, Hankins, Hastings, Hinc, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Pruitt, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Burns, Chamberlain, Cole, Dawson, Ehlers, Eng, Garrett, Granlund, Heck, Kaiser, King R., Rinehart, Rosbach, Vander Stoep, Walk, Warnke.

Not voting: Representatives Becker, King J., North, O'Brien, Wang.

Engrossed House Bill No. 1099 as amended by the Senate, having received the constitu- tional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-174, by Representatives Tilly and Ehlers:

WHEREAS, Washington State is in a fiscal crisis equal to or greater than any faced before; and

WHEREAS, All state agencies have been severely cut back and required to use remaining funds and human resources in the most prudent and efficient manner possible; and

WHEREAS, The number of employees in the Washington State Parks and Recreation Commission maintaining the 102 state parks has steadily declined, reducing important protec- tions and services to a growing number of families who find camping their only affordable rec- reation; and

WHEREAS, The Washington State Parks and Recreation Commission has recently approved a resolution which purports to increase efficiency by eliminating local level district supervisors and creating two new regional headquarters in addition to the three now existing; and

WHEREAS, The proposed elimination of district supervisors and creation of more regional managers, assistant managers and other office staff has resulted in a deterioration of morale as evidenced by a recent overwhelming no-confidence vote; and

WHEREAS, The proposed reorganization would result in increased bureaucracy and additional costs by adding regional directors, assistant directors and office staff, while decreas- ing the number of uniformed on-site personnel;

NOW, THEREFORE, BE IT RESOLVED, That the Director and members of the Washington State Parks and Recreation Commission be hereby admonished to discontinue plans for increasing the number of administrative personnel and instead make every effort to maintain or improve the level of services at on-site park locations; and

BE IT FURTHER RESOLVED, That the Governor be requested to investigate the proposed reorganization as well as the management performance of the Parks and Recreation Commission and take whatever action is needed to correct the problem; and

BE IT FURTHER RESOLVED, That the Washington State Parks and Recreation Commission be directed to report to the House Natural Resources and Environmental Affairs Committee within sixty days with full details on the proposed reorganization and justification, after the House Natural Resources and Environmental Affairs Committee has received the reports from the Parks Commission and after the Governor has had sufficient time to complete his investigation, and if either find cause not to implement such reorganization, then the Parks and Recreation Commission shall take no action to implement such reorganization.

Mr. Tilly moved adoption of the resolution.

POINT OF INQUIRY

Mr. Tilly yielded to question by Ms. Stratton.

Ms. Stratton: "Representative Tilly, is this going to start a precedent in our having other commissions having to do the same thing? What kind of a bottleneck in processing are we going to have down the road?"

Mr. Tilly: "Representative Stratton, it really depends on each particular member, I think, and our body and the body on the other side of the rotunda, as to how strongly we feel or how strongly we question what a commission is doing. This is strictly a request of this legislative body that the commission respond to our question. There's no precedent, except this legislature, in its budget, is taking the strong action of eliminating the regional offices of DSHS, which, I believe, is about \$1.9 million savings."

House Resolution No. 82-174 was adopted.

Representative King (J) appeared at the bar of the House.

NOTICE OF RECONSIDERATION

Mr. Ehlers, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Resolution No. 82-174 was adopted.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 9:00 a.m., Monday, April 5, 1982.

WILLIAM M. POLK, Speaker

VITO T. CHIECHI, Chief Clerk

TWENTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 5, 1982.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brown, Salatino and Winsley. Representative Salatino was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages John Greengo and Nathan Ellis. Prayer was offered by The Reverend Frank L. Accardy of the Emmanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 4, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 829,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 4, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3609,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

MOTION FOR RECONSIDERATION

Mr. Ehlers, having given previous notice, moved that the House reconsider the vote by which House Resolution No. 82-174 was adopted.

The motion was carried.

On motion of Mr. Struthers, the following amendment by Representatives Struthers and Ehlers to the resolution was adopted:

Strike all the original language and insert the following:

WHEREAS, Washington State is in a fiscal crisis equal to or greater than any faced before; and

WHEREAS, All state agencies have been severely cut back and required to use remaining funds and human resources in the most prudent and efficient manner possible; and

WHEREAS, The number of employees in the Washington State Parks and Recreation Commission maintaining the 102 state parks has steadily declined, reducing important protections and services to a growing number of families who find camping their only affordable recreation; and

WHEREAS, The Washington State Parks and Recreation Commission has recently approved a resolution which pretends to increase efficiency by eliminating local level district supervisors and creating two new regional headquarters in addition to the three now existing; and

WHEREAS, The district supervisors slated for elimination are actually uniformed service delivery personnel acting in a supervisory capacity who are needed for the efficient management of our parks; and

WHEREAS, The proposed elimination of district supervisors and creation of more regional managers, assistant managers and other office staff has resulted in a deterioration of morale as evidenced by a recent overwhelming no-confidence vote; and

WHEREAS, The proposed reorganization would result in increased bureaucracy and additional costs by adding regional directors, assistant directors and office staff, while decreasing the number of uniformed on-site personnel;

NOW, THEREFORE, BE IT RESOLVED, That the Director and members of the Washington State Parks and Recreation Commission be hereby admonished to discontinue plans for increasing the number of administrative personnel and instead make every effort to maintain or improve the level of services at on-site park locations; and

BE IT FURTHER RESOLVED, That the Governor be requested to investigate the proposed reorganization as well as the management performance of the Parks and Recreation Commission and take whatever action is needed to correct the problem; and

BE IT FURTHER RESOLVED, That the Washington State Parks and Recreation Commission be directed to report to the House Natural Resources & Environmental Affairs Committee within sixty days with full details on the proposed reorganization and justification therefore and to take no action to implement such reorganization until after the House Natural Resources & Environmental Affairs Committee has received the reports from the Parks Commission and the Governor has had sufficient time to complete his investigation.

House Resolution No. 82-174 as amended was adopted.

SENATE AMENDMENT TO HOUSE BILL

April 4, 1982

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 124 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. The legislature has determined it is in the best interest of the state to temporarily provide a special early retirement benefit which would enable certain employees to leave state service. It is the intent of the legislature that the resulting lower level of employment achieved through the utilization of this special early retirement be maintained by the agency or political subdivision for whom the retiring employee was employed.

PART A. TEACHERS' RETIREMENT SYSTEM

NEW SECTION. Sec. 2. 'Eligible members' means members of the retirement system as established by chapter 41.32 RCW who are employed by an employer on the effective date of this act.

NEW SECTION. Sec. 3. (1) From the effective date of this act through November 30, 1982, eligible members of the retirement system may elect special early retirement, such retirement to be effective no later than January 1, 1983, under the following conditions:

Any eligible member who (a) has attained the age of fifty-five years, with at least five years creditable service, or (b) has at least twenty-five years creditable service, is eligible to retire, and receive a combined pension and annuity service retirement allowance which shall be equal to two percent of the member's average final compensation multiplied by the total years of creditable service established with the retirement system to a maximum of sixty percent of such average earnable compensation. All options available under RCW 41.32.498(4) shall be available for retirements under this section, subject to the appropriate actuarial adjustments.

(2) For the purposes of this section: (a) For eligible members who established membership in the retirement system on or before September 30, 1977, 'earnable compensation' has the meaning set forth in RCW 41.32.010(11)(a); and 'average final compensation' means the average earnable compensation for the member's two highest compensated consecutive years of service; (b) for eligible members who established membership in the retirement system on or after October 1, 1977, 'earnable compensation' and 'average final compensation' have the meanings set forth in RCW 41.32.010(11)(b) and 41.32.010(31), respectively.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the teachers' retirement fund for the biennium ending June 30, 1983, the sum of one million three hundred thousand dollars, or so much thereof as may be necessary, to pay for the costs of the benefits provided under section 3 of this act.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act are added to chapter 41.32 RCW, but, because of their temporary nature, shall not be codified.

PART B. PUBLIC EMPLOYEES' RETIREMENT SYSTEM

NEW SECTION. Sec. 6. 'Eligible members' means members of the retirement system as established by chapter 41.40 RCW who are employed by an employer on the effective date of this act.

NEW SECTION. Sec. 7. (1) From the effective date of this act through November 30, 1982, eligible members of the retirement system may elect special early retirement, such retirement to be effective no later than January 1, 1983, under the following conditions:

Any eligible member who (a) has attained the age of fifty-five years, with at least five years creditable service, or (b) has at least twenty-five years creditable service, is eligible to retire, and receive a membership service retirement allowance which shall be equal to two percent of the member's average final compensation for each year or fraction of a year of membership service to a maximum of sixty percent of such average final compensation. All options available under RCW 41.40.185(5) shall be available for retirements under this section, subject to the appropriate actuarial adjustments.

(2) For the purposes of this section: (a) For eligible members who established membership in the retirement system on or before September 30, 1977, 'compensation earnable' and 'average final compensation' have the meanings set forth in RCW 41.40.010(8)(a) and 41.40.010(15)(a), respectively; (b) for eligible members who established membership in the retirement system on or after October 1, 1977, 'compensation earnable' and 'average final compensation' have the meanings set forth in RCW 41.40.010(8)(b) and 41.40.010(15)(b), respectively.

Sec. 8. Section 128, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

No appropriations contained in this act shall be used for payment of contributions to the public employees' retirement system in excess of amounts necessary to offset the cost of benefits earned during the 1981-83 biennium and the cost of benefits provided under section 7 of this 1982 act. The director of the department of retirement systems shall establish contribution rates pursuant to chapter 41.40 RCW consistent with this section: **PROVIDED**, That the director may establish contribution rates for political subdivisions which include an allowance for the cost of any post-retirement adjustment granted in the 1981 regular session of the legislature under chapter 41.40 RCW.

NEW SECTION. Sec. 9. Sections 6 and 7 of this act are added to chapter 41.40 RCW, but, because of their temporary nature, shall not be codified.

PART C.

WASHINGTON STATE PATROL RETIREMENT SYSTEM

NEW SECTION. Sec. 10. From the effective date of this act to November 30, 1982, any member who is employed as a commissioned officer on the effective date of this act and (1) has attained the age of fifty years, with at least five years creditable service, or (2) has at least twenty years of creditable service, is eligible to elect special early retirement and retire within the period from the effective date of this act and January 1, 1983. The benefit available upon special early retirement shall be determined and paid in accordance with RCW 43.43.120 through 43.43.320, except there shall be no actuarial reduction in the amount of the retirement allowance.

NEW SECTION. Sec. 11. Section 10 of this act is added as a new section to chapter 43.43 RCW, but, because of its temporary nature, shall not be codified.

PART D.

HIGHER EDUCATION RETIREMENT SYSTEMS

NEW SECTION. Sec. 12. From the effective date of this act to November 30, 1982, any faculty member or such other employee who (a) has attained the age of fifty-five years, with at least ten years creditable service, or (b) has at least twenty-five years of creditable service, is eligible to elect special early retirement and retire within the period from the effective date of this act and January 1, 1983. The retirement benefit shall be determined pursuant to RCW 28B.10.400, 28B.10.401, and 28B.10.423, without actuarial reduction on account of age.

NEW SECTION. Sec. 13. Section 12 of this act is added as a new section to chapter 28B.10 RCW but, because of its temporary nature, shall not be codified.

PART E.

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 14. (1) Each elected state official shall ensure that each agency under the official's control does not hire any person after the effective date of this section unless:

(a) The total number of full-time equivalent employees, whose source of funding is from the state general fund, for the agency, whose source of funding is from the state general fund, during the month in which the hiring occurs does not exceed the greater of (i) the average monthly number of full-time equivalent employees, whose source of funding is from the state general fund, exclusive of persons employed under the federal comprehensive employment and training act, actually employed by the agency during the previous calendar year, or (ii) the total number of full-time equivalent employees, whose source of funding is from the state general fund, exclusive of persons employed under the federal comprehensive employment and training act, actually employed by the agency during the same month of the previous year: **PROVIDED**, That the elected state official is authorized to grant reasonable exceptions to this rule for an agency which did not exist during the same month of the previous year and for an agency which has had its statutory responsibilities substantially changed since such month; and

(b) On the date the hiring occurs, the total number of full-time equivalent employees, whose source of funding is from the state general fund, hired after December 31, 1981, by all agencies under the elected state official's control does not exceed fifty percent of the total number of full-time equivalent employees, whose source of funding is from the state general fund, who left employment with those agencies after December 31, 1981: **PROVIDED**, That this subsection (1)(b) does not apply to: (i) The hiring of seasonal employees if the number of seasonal employees employed by the agency is consistent with the historical use of seasonal employees by the agency; (ii) the hiring of temporary employees if the number of temporary employees employed by the agency is consistent with the historical use of temporary employees by the agency; (iii) the department of corrections; and (iv) the hiring of four thousand critical employees of the department of social and health services, as identified by the governor; and

(c) The hiring complies with the policy set forth in section 15 of this act.

(2) For the purposes of this section, all state executive branch agencies are under the control of the governor unless they are headed by an elected state official other than the governor.

(3) This section does not prohibit an elected state official or the legislature from providing for the employment of state employees in excess of the number otherwise allowable under this section in order to address a state of emergency proclaimed under RCW 43.06.010 or a critical and emergent need proclaimed by the governor for the protection of the public health and safety. Any proclamation under this section shall be immediately transmitted to the financial committees of the legislature. Employment allowed under this subsection shall not last longer than the emergency conditions.

(4) As used in this section, 'agency' has the meaning given in RCW 43.88.020, except that the system of community colleges shall be treated as one agency under this section.

(5) This section expires June 30, 1983.

NEW SECTION. Sec. 15. There is added to chapter 41.04 RCW a new section to read as follows:

(1) It is the policy of the state of Washington that, in hiring employees, state officials shall emphasize maintaining those positions with functions permitting the agency to carry out its legislatively mandated mission. As a general rule, hirings shall not disproportionately favor management positions. In furtherance of this policy, each agency shall submit to the office of financial management by January 15 and July 15 of each year a report indicating by title each position which became vacant and each position which was filled during the previous six months.

(2) The office of financial management shall study the implementation of the hiring policy provided in this section. This study shall be presented to the financial committees of the legislature by January 31 and July 31 of each year.

NEW SECTION. Sec. 16. (1) The office of financial management shall study the actual utilization of the special early retirement offered by this act, the subsequent replacement of those persons who utilized the special early retirement offered by this act, and the impact of early retirement on managerial efficiency and prerogatives. This study shall be presented to the financial committees of the legislature by December 31, 1983.

(2) The office of financial management shall study the implementation of the hiring limits provided in section 14 of this act. This study shall be presented to the financial committees of the legislature by July 31, 1982, January 31, 1983, and July 31, 1983.

NEW SECTION. Sec. 17. Part headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 18. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 19. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendment to Second Substitute House Bill No. 124.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Second Substitute House Bill No. 124 as amended by the Senate.

Mr. Williams spoke in favor of the bill, and Mr. Thompson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 124 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 26; not voting, 9.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Burns, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Garrett, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Patrick, Prince, Pruitt, Rosbach, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Becker, Berleen, Brekke, Clayton, Cole, Erak, Gallagher, Galloway, Granlund, James, Kaiser, King J., Lux, Maxie, Monohon, Nelson D., Padden, Rust, Sanders, Schmidt, Scott, Thompson, Valle, Van Dyken, Warnke, Wilson.

Not voting: Representatives Brown, Eng, North, Owen, Rinehart, Salatino, Teutsch, Wang, Winsley.

Second Substitute House Bill No. 124 as amended by the Senate, having received the constitutional majority, was declared passed. there being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1099,
 SUBSTITUTE HOUSE BILL NO. 1109,
 SENATE BILL NO. 3609.

SENATE AMENDMENTS TO HOUSE BILL

April 4, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1226 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 1, chapter 12, Laws of 1970 ex. sess. as amended by section 2, chapter 118, Laws of 1980 and RCW 41.06.020 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) 'Agency' means an office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof; it includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

(2) 'Board' means the state personnel board established under the provisions of RCW 41.06.110, except that this definition does not apply to the words 'board' or 'boards' when used in RCW 41.06.070.

(3) 'Classified service' means all positions in the state service subject to the provisions of this chapter.

(4) 'Competitive service' means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

(5) 'Management employees' means those employees:

(a) Who are classified under this chapter and who are exempt employees under this chapter and have their salary and fringe benefits determined under RCW 41.06.070; and

(b) Who are specified as management by the state personnel board; but the board shall not go below range 49, as established in the October 1981 state personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication.

(6) 'Noncompetitive service' means all positions in the classified service for which a competitive examination is not required.

((6)) (7) 'Department' means an agency of government that has as its governing officer a person, or combination of persons such as a commission, board, or council, by law empowered to operate the agency responsible either to ((+)) (a) no other public officer or ((2)) (b) the governor.

((7)) (8) 'Career development' means the progressive development of employee capabilities to facilitate productivity, job satisfaction, and upward mobility through work assignments as well as education and training that are both state-sponsored and are achieved by individual employee efforts, all of which shall be consistent with the needs and obligations of the state and its agencies.

((8)) (9) 'Training' means activities designed to develop job-related knowledge and skills of employees.

((9)) (10) 'Director' means the director of personnel appointed under the provisions of RCW 41.06.130.

Sec. 2. Section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070 are each amended to read as follows:

The provisions of this chapter do not apply to:

(1) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, legislative budget committee, statute law committee, and any interim committee of the legislature;

(2) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(3) Officers, academic personnel, and employees of state institutions of higher education, the state board for community college education, and the higher education personnel board;

(4) The officers of the Washington state patrol;

(5) Elective officers of the state;

(6) The chief executive officer of each agency;

(7) In the departments of employment security, fisheries, social and health services, the director and his confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his confidential secretary, and his statutory assistant directors;

(8) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(a) All members of such boards, commissions, or committees;

(b) If the members of the board, commission, or committee serve on a part time basis and there is a statutory executive officer: (i) The secretary of the board, commission, or committee; (ii) the chief executive officer of the board, commission, or committee; and (iii) the confidential secretary of the chief executive officer of the board, commission, or committee;

(c) If the members of the board, commission, or committee serve on a full time basis: (i) The chief executive officer or administrative officer as designated by the board, commission, or committee; and (ii) a confidential secretary to the chairman of the board, commission, or committee;

(d) If all members of the board, commission, or committee serve ex officio: (i) The chief executive officer; and (ii) the confidential secretary of such chief executive officer;

(9) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(10) Assistant attorneys general;

(11) Commissioned and enlisted personnel in the military service of the state;

(12) Inmate, student, part time, or temporary employees, and part time professional consultants, as defined by the state personnel board or the board having jurisdiction;

(13) The public printer or to any employees of or positions in the state printing plant;

(14) Officers and employees of the Washington state fruit commission;

(15) Officers and employees of the Washington state apple advertising commission;

(16) Officers and employees of the Washington state dairy products commission;

(17) Officers and employees of the Washington tree fruit research commission;

(18) Officers and employees of the Washington state beef commission;

(19) Officers and employees of any commission formed under the provisions of chapter 191, Laws of 1955, and chapter 15.66 RCW;

(20) Officers and employees of the state wheat commission formed under the provisions of chapter 87, Laws of 1961 (chapter 15.63 RCW);

(21) Officers and employees of agricultural commissions formed under the provisions of chapter 256, Laws of 1961 (chapter 15.65 RCW);

(22) Liquor vendors appointed by the Washington state liquor control board pursuant to RCW 66.08-.050: PROVIDED, HOWEVER, That rules and regulations adopted by the state personnel board pursuant to RCW 41.06.150 regarding the basis for, and procedures to be followed for, the dismissal, suspension, or demotion of an employee, and appeals therefrom shall be fully applicable to liquor vendors except those part time agency vendors employed by the liquor control board when, in addition to the sale of liquor for the state, they sell goods, wares, merchandise, or services as a self-sustaining private retail business;

(23) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(24) In addition to the exemptions specifically provided by this chapter, the state personnel board may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the personnel board stating the reasons for requesting such exemptions. The personnel board shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the board determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the personnel board shall grant the request and such determination shall be final. The total number of additional exemptions permitted under this subsection shall not exceed one hundred seventy-five for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor. The state personnel board shall report to each regular session of the legislature during an odd-numbered year all exemptions granted pursuant to the provisions of this subsection, together with the reasons for such exemptions.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (10) through (21) of this section, shall be determined by the state personnel board.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the personnel board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to the effective date of this amendatory section, then the four-year period shall begin on the effective date of this amendatory section.

Sec. 3. Section 13, chapter 1, Laws of 1961 and RCW 41.06.130 are each amended to read as follows:

The office of director of personnel is hereby established.

(1) Within ninety days after December 8, 1960, a director of personnel shall be appointed. The merit system director then serving under RCW 50.12.030, whose position is terminated by this chapter, may serve as director of personnel hereunder until a permanent director of personnel is appointed as herein provided, and may be appointed as director of personnel by the governor alone; or the governor may fill the position in the manner hereinafter provided for subsequent vacancies therein on the basis of competitive examination, in conformance with board rules for competitive examinations, for which examinations ((said)) the merit system director ((shall be)) is eligible.

(2) The director of personnel shall be appointed by the governor from a list of three names submitted to him by the board with its recommendations((:)). The names on such list shall be those of the three standing

highest upon competitive examination conducted by a committee of three persons (~~which shall be~~) appointed by the board solely for that purpose whenever the position is vacant. Only persons with substantial experience in the field of personnel management (~~shall be~~) are eligible to take such examination.

(3) The director of personnel (~~shall be~~) is removable for cause by the governor with the approval of a majority of the board or by the board.

(4) The director of personnel shall direct and supervise all the department of personnel's administrative and technical activities in accordance with the provisions of this chapter and the rules and regulations approved and promulgated thereunder. He shall prepare for consideration by the board proposed rules and regulations required by this chapter. His salary shall be fixed by the board.

(5) The director of personnel may delegate to any agency the authority to perform administrative and technical personnel activities if the agency requests such authority and the director of personnel is satisfied that the agency has the personnel management capabilities to effectively perform the delegated activities. The director of personnel shall prescribe standards and guidelines for the performance of delegated activities. If the director of personnel determines that an agency is not performing delegated activities within the prescribed standards and guidelines, the director shall withdraw the authority from the agency to perform such activities.

Sec. 4. Section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and by section 1, chapter 79, Laws of 1982 and RCW 41.06.150 are each reenacted and amended to read as follows:

The board shall adopt rules, consistent with the purposes and provisions of this chapter, as now or hereafter amended, and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The reduction, dismissal, suspension, or demotion of an employee;

(2) Certification of names for vacancies, including departmental promotions and reemployment from layoff, with the number of names equal to ~~(two)~~ four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examinations for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Training and career development;

(6) Probationary periods of six to twelve months and rejections therein, depending on the job requirements of the class, except that entry level state park rangers shall serve a probationary period of twelve months;

(7) Transfers;

(8) Sick leaves and vacations;

(9) Hours of work;

(10) Layoffs when necessary and subsequent reemployment (~~(both according to seniority))~~;

(11) Determination of appropriate bargaining units within any agency: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(12) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ~~(said)~~ the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment (~~shall~~) constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative (~~shall be~~) is satisfied by the payment of monthly or other periodic dues and (~~shall~~) does not require payment of initiation, reinstatement, or any other fees or fines and (~~shall~~) includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but (~~shall be~~) is entitled to all the representation rights of a union member;

(13) Agreements between agencies and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion;

(14) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the appointing authority and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(15) Adoption and revision of a comprehensive classification plan for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(16) Allocation and reallocation of positions within the classification plan;

(17) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units, such adoption and revision subject to approval by the director of financial management in accordance with the provisions of chapter 43.88 RCW;

(18) Increment or merit increases within the series of steps for each pay grade (~~(based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service)~~);

(19) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken state service, as defined by the board, the veteran's service in the military not to exceed five years. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~(shall be)~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' (~~(shall)~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month;

(20) Permitting agency heads to delegate the authority to appoint, reduce, dismiss, suspend, or demote employees within their agencies if such agency heads do not have specific statutory authority to so delegate: PROVIDED, That the board may not authorize such delegation to any position lower than the head of a major subdivision of the agency.

Sec. 5. Section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169 are each amended to read as follows:

After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop standardized employee performance evaluation procedures and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual agencies may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. Performance evaluation procedures shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling state agency and job objectives. (~~(A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.)~~) This section shall expire June 30, 1985. This section shall not apply to management employees after June 30, 1984.

NEW SECTION. Sec. 6. There is added to chapter 41.06 RCW a new section to read as follows:

(1) After consultation with state agency heads, employee organizations, and other interested parties, the state personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by state agencies for the appraisal of employee job performance at least annually. The performance evaluation procedures shall include means whereby individual agencies may develop special performance factors peculiar to the organizational needs of particular employing agencies. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing agency.

(2) The standardized performance evaluation shall measure employee performance within at least five performance rating categories as established by the board. Such evaluation shall be given to classified employees and those exempt employees whose salary and fringe benefits are determined by the board pursuant to RCW 41.06.070.

(3) The board shall, subject to legislative approval under section 30 of this act, adopt rules designed to insure that performance evaluations of employees do not result in unrealistic concentration in any performance rating category.

(4) This section shall apply to:

(a) Management employees beginning July 1, 1984; and

(b) All other employees beginning July 1, 1985.

(5) A classified employee may appeal his or her performance evaluation under RCW 41.06.170(2) only to the extent the evaluation violates this chapter or rules promulgated under this chapter, or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under section 8(3) of this act, subject to legislative approval under section 30 of this act.

NEW SECTION. Sec. 7. There is added to chapter 41.06 RCW a new section to read as follows:

(1) The board shall, subject to legislative approval under section 30 of this act, develop rules by January 1, 1984, which will assure that whenever an agency makes a layoff of classified management employees after June 30, 1985, or other classified employees after June 30, 1986, the decision on which employees to lay off shall be based on performance and seniority.

(2) From the effective date of this section until the provisions of subsection (1) of this section are implemented, the decision on which employees to lay off shall be based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

NEW SECTION. Sec. 8. There is added to chapter 41.06 RCW a new section to read as follows:

(1) Beginning July 1, 1985, the performance of each nonmanagement employee shall be evaluated prior to the date on which the nonmanagement employee would be eligible to receive an increment or merit increase in salary. In the conduct of the evaluation, the agency shall use the evaluation procedure and forms adopted under section 6 of this act.

(2) After June 30, 1985, increment or merit increases for these employees may be awarded only as follows:

(a) To the midstep of the salary range based on seniority if the employee receives other than the lowest performance rating category; and

(b) From the midstep of the salary range based on satisfactory performance, but if the employee in the performance evaluation receives a performance rating category of less than satisfactory, the increase granted as a result of the prior performance evaluation shall be withdrawn.

(3) A nonmanagement employee at the top of the salary range may only be granted an additional increase if the performance of the nonmanagement employee is rated in the highest performance rating category. Such increase shall be withdrawn if any subsequent performance evaluation is less than the highest performance rating category.

NEW SECTION. Sec. 9. There is added to chapter 41.06 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees of an agency shall be subject to performance evaluation using the procedures developed under section 6 of this act. Such management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board, subject to legislative approval under section 30 of this act.

NEW SECTION. Sec. 10. There is added to chapter 41.06 RCW a new section to read as follows:

Whenever an employee has been laid off, the employee's rights in respect to reemployment from layoff shall be based on seniority and subject to RCW 41.06.150(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification.

NEW SECTION. Sec. 11. There is added to chapter 28B.10 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

'Management employees' mean administrative exempt personnel of each institution of higher education who are specified by each institution as management.

NEW SECTION. Sec. 12. There is added to chapter 28B.10 RCW a new section to read as follows:

(1) The state and regional universities and The Evergreen State College shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) Each of these institutions shall, subject to legislative approval under section 30 of this act, adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION. Sec. 13. There is added to chapter 28B.10 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees shall be subject to performance evaluation using the procedures developed under section 12 of this act. Such employees may be granted merit increases in salary, based on performance, as determined by each institution for its employees.

Sec. 14. Section 2, chapter 36, Laws of 1969 ex. sess. as amended by section 41, chapter 169, Laws of 1977 ex. sess. and RCW 28B.16.020 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section.

(1) 'Institutions of higher education' are the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges;

(2) 'Board' means the higher education personnel board established under the provisions of RCW 28B.16.060;

(3) 'Related boards' means the state board for community college education and the higher education personnel board; and such other boards, councils and commissions related to higher education as may be established;

(4) 'Classified service' means all positions at the institutions of higher education subject to the provisions of this chapter;

(5) 'Competitive service' means all positions in the classified service for which a competitive examination is required as a condition precedent to appointment;

(6) 'Noncompetitive service' means all positions in the classified service for which a competitive examination is not required;

(7) 'Management employees' mean those classified employees under this chapter specified as management by the higher education personnel board, but the board shall not go below range 49, as established in the October 1981 higher education personnel board compensation plan, or its equivalent range in a subsequent compensation plan publication.

Sec. 15. Section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040 are each amended to read as follows:

The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(1) Members of the governing board of each institution and related boards, all presidents, vice presidents and their confidential secretaries, administrative and personal assistants; deans, directors, and chairmen; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington.

(2) Student, part time, or temporary employees, and part time professional consultants, as defined by the higher education personnel board, employed by institutions of higher education and related boards.

(3) The director, his confidential secretary, assistant directors, and professional education employees of the state board for community college education.

(4) The personnel director of the higher education personnel board and his confidential secretary.

(5) The governing board of each institution, and related boards, may also exempt from this chapter, subject to the employees right of appeal to the higher education personnel board, classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training, and principal assistants to executive heads of major administrative or academic divisions, as determined by the higher education personnel board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the higher education personnel board under this provision.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary, within four years from the date of appointment to the exempt position. However, (a) upon the prior request of the appointing authority of the exempt position, the board may approve one extension of no more than four years; and (b) if an appointment was accepted prior to the effective date of this amendatory section, then the four-year period shall begin on the effective date of this amendatory section.

Sec. 16. Section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100 are each amended to read as follows:

The higher education personnel board shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

(1) The dismissal, suspension, or demotion of an employee, and appeals therefrom;

(2) Certification of names for vacancies, including promotions and reemployment from layoff, with the number of names equal to ((two)) four more names than there are vacancies to be filled, such names representing applicants rated highest on eligibility lists;

(3) Examination for all positions in the competitive and noncompetitive service;

(4) Appointments;

(5) Probationary periods of six ((months and rejections therein)) to twelve months and rejections therein, depending on the job requirements of the class;

(6) Transfers;

(7) Sick leaves and vacations;

(8) Hours of work;

(9) Layoffs when necessary and subsequent reemployment ((,-both according to seniority));

(10) Determination of appropriate bargaining units within any institution or related boards: PROVIDED, That in making such determination the board shall consider the duties, skills, and working conditions of the employees, the history of collective bargaining by the employees and their bargaining representatives, the extent of organization among the employees, and the desires of the employees;

(11) Certification and decertification of exclusive bargaining representatives: PROVIDED, That after certification of an exclusive bargaining representative and upon ((said)) the representative's request, the director shall hold an election among employees in a bargaining unit to determine by a majority whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such condition of employment ((shall)) constitutes cause for dismissal: PROVIDED FURTHER, That no more often than once in each twelve-month period after expiration of twelve months following the date of the original election in a bargaining unit and upon petition of thirty percent of the members of a bargaining unit the director shall hold an election to determine whether a majority wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause, membership in the certified exclusive bargaining representative ((shall be)) is satisfied by the payment of monthly or other periodic dues and ((shall)) does not require payment of initiation, reinstatement, or any other fees or fines and ((shall)) includes full and complete membership rights: AND PROVIDED FURTHER, That in order to safeguard the right of nonassociation of public employees, based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such public employee shall pay to the union, for purposes within the program of the union as designated by such employee that would be in harmony with his individual conscience, an amount of money

equivalent to regular union dues minus any included monthly premiums for union-sponsored insurance programs, and such employee shall not be a member of the union but (~~shall be~~) is entitled to all the representation rights of a union member;

(12) Agreements between institutions or related boards and certified exclusive bargaining representatives providing for grievance procedures and collective negotiations on all personnel matters over which the institution or the related board may lawfully exercise discretion;

(13) Written agreements may contain provisions for payroll deductions of employee organization dues upon authorization by the employee member and for the cancellation of such payroll deduction by the filing of a proper prior notice by the employee with the institution and the employee organization: PROVIDED, That nothing contained herein (~~shall~~) permits or grants to any employee the right to strike or refuse to perform his official duties;

(14) Adoption and revision of comprehensive classification plans for all positions in the classified service, based on investigation and analysis of the duties and responsibilities of each such position;

(15) Allocation and reallocation of positions within the classification plan;

(16) Adoption and revision of salary schedules and compensation plans which reflect the prevailing rates in Washington state private industries and other governmental units for positions of a similar nature and which shall be competitive in the state or the locality in which the institution or related boards are located, such adoption, revision, and implementation subject to approval as to availability of funds by the director of financial management in accordance with the provisions of chapter 43.88 RCW, and after consultation with the chief financial officer of each institution or related board for that institution or board, or in the case of community colleges, by the chief financial officer of the state board for community college education for the various community colleges;

(17) Training programs including in-service, promotional, and supervisory;

(18) Increment or merit increases within the series of steps for each pay grade (~~based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service~~); and

(19) Providing for veteran's preference as provided by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their widows by giving such eligible veterans and their widows additional credit in computing their seniority by adding to their unbroken higher education service, as defined by the board, the veteran's service in the military not to exceed five years of such service. For the purposes of this section, 'veteran' means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given: PROVIDED, HOWEVER, That the widow of a veteran (~~shall be~~) is entitled to the benefits of this section regardless of the veteran's length of active military service: PROVIDED FURTHER, That for the purposes of this section 'veteran' (~~shall~~) does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Sec. 17. Section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105 are each amended to read as follows:

After consultation with institution heads, employee organizations, and other interested parties, the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually. These procedures shall include means whereby individual institutions may supplement the standardized evaluation process with special performance factors peculiar to specific organizational needs. This evaluation procedure shall place primary emphasis on recording how well the employee has contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives. (~~A standardized performance evaluation procedure shall be instituted not later than July 1, 1978, for all employees.~~) This section shall expire June 30, 1985. This section shall not apply to management employees after June 30, 1984.

NEW SECTION. Sec. 18. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) After consultation with institution heads, employee organizations, and other interested parties, the personnel director shall develop employee performance evaluation standards, procedures, and forms which shall be used by institutions of higher education for the appraisal of employee job performance at least annually. The performance evaluation procedures shall include means whereby individual institutions and related boards may develop special performance factors peculiar to the organizational needs of particular employing institutions. Performance evaluation standards shall not include detailed work expectations, which shall be developed by the employing institution.

(2) The standardized performance evaluation shall measure classified employee performance within at least five performance rating categories as established by the board.

(3) The board shall, subject to legislative approval under section 30 of this act, adopt rules designed to insure that performance evaluations of employees do not result in unrealistic concentration in any performance rating category.

(4) This section shall apply to:

- (a) Management employees beginning July 1, 1984; and
- (b) All other employees beginning July 1, 1985.

(5) A classified employee may appeal his or her performance evaluation within thirty days to the board only to the extent the evaluation violates this chapter or rules adopted under this chapter, or if the performance rating category received in the performance evaluation would result in a withdrawal of the increment increase previously received other than the increment increase received under section 21(3) of this act, subject to legislative approval under section 30 of this act.

Sec. 19. Section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101 are each amended to read as follows:

Rules adopted by the higher education personnel board shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the board, of the following:

- (1) Appointment, promotion, and transfer of employees;
- (2) Dismissal, suspension, or demotion of an employee;
- (3) Examinations for all positions in the competitive and noncompetitive service;
- (4) Probationary periods of six to twelve months and rejections therein;
- (5) Sick leaves and vacations;
- (6) Hours of work;
- (7) Layoffs when necessary and subsequent reemployment;
- (8) Allocation and reallocation of positions within the classification plans;
- (9) Training programs; and
- (10) Maintenance of personnel records.

NEW SECTION, Sec. 20. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) The board shall, subject to legislative approval under section 30 of this act, develop rules by January 1, 1984, which will assure that whenever an institution of higher education makes a layoff of classified management employees after June 30, 1985, or other classified employees after June 30, 1986, the decision on which employees to lay off shall be based on performance and seniority.

(2) From the effective date of this section until the provisions of subsection (1) of this section are implemented, the decision on which employees to lay off shall be based on seniority. However, where seniority is equal, performance shall be used as the determining factor.

NEW SECTION, Sec. 21. There is added to chapter 28B.16 RCW a new section to read as follows:

(1) Beginning July 1, 1985, the performance of each nonmanagement employee shall be evaluated prior to the date on which the nonmanagement employee would be eligible to receive an increment or merit increase in salary. In conduct of the evaluation, the institution shall use the evaluation procedure and forms adopted under section 18 of this act.

(2) After June 30, 1985, increment or merit increases for these employees may be awarded only as follows:

(a) To the midstep of the salary range based on seniority if the employee receives other than the lowest performance rating category; and

(b) From the midstep of the salary range based on satisfactory performance, but if the nonmanagement employee in the performance evaluation receives a performance rating category of less than satisfactory, the increase granted as a result of the prior performance evaluation shall be withdrawn.

(3) A nonmanagement employee at the top of the salary range may only be granted an additional increase if the performance of the nonmanagement employee is rated in the highest performance rating category. Such increase shall be withdrawn if any subsequent performance evaluation is less than the highest performance rating category.

NEW SECTION, Sec. 22. There is added to chapter 28B.16 RCW a new section to read as follows:

Beginning on July 1, 1984, classified management employees shall be subject to performance evaluation using the procedures developed under section 18 of this act. Such classified management employees may only be granted increment and merit increases in salary, based on performance, under the rules promulgated by the board, subject to legislative approval under section 30 of this act.

NEW SECTION, Sec. 23. There is added to chapter 28B.16 RCW a new section to read as follows:

Whenever an employee has been laid off, the employee's rights, in respect to reemployment from layoff shall be based on seniority and subject to RCW 28B.16.100(2). Certification from the layoff lists may be augmented by names from other lists if necessary to complete the certification.

Sec. 24. Section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 12, chapter 62, Laws of 1973 and RCW 28B.50.030 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

- (1) 'System' shall mean the state system of community colleges, which shall be a system of higher education;
- (2) 'College board' shall mean the state board for community college education created by this chapter;
- (3) 'Director' shall mean the administrative director for the state system of community colleges;
- (4) 'District' shall mean any one of the community college districts created by this chapter;
- (5) 'Board of trustees' shall mean the local community college board of trustees established for each community college district within the state;
- (6) 'Council' shall mean the coordinating council for occupational education;
- (7) 'Occupational education' shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree;
- (8) 'K-12 system' shall mean the public school program including kindergarten through the twelfth grade;

(9) 'Common school board' shall mean a public school district board of directors;

(10) 'Community college' shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education;

(11) 'Adult education' shall mean all education or instruction, including academic, vocational education or training, and 'occupational education' provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate: PROVIDED, That 'adult education' shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate: PROVIDED, FURTHER, That 'adult education' shall not include education or instruction provided by any four year public institution of higher education: AND PROVIDED FURTHER, That adult education shall not include education or instruction provided by a vocational-technical institute;

(12) 'Management employees' shall mean administrative exempt personnel of each community college who are specified by each community college as management.

NEW SECTION, Sec. 25. There is added to chapter 28B.50 RCW a new section to read as follows:

(1) The community colleges and the college board shall develop performance evaluation procedures and forms which shall be used for the appraisal of their respective management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) Each community college and the college board shall, subject to legislative approval under section 30 of this act, adopt rules designed to insure that performance evaluations of their respective management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION, Sec. 26. There is added to chapter 28B.50 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees shall be subject to performance evaluation using the procedures developed under section 25 of this 1982 act. Such employees may be granted merit increases in salary, based on performance, as determined by each community college and the college board for their respective employees.

NEW SECTION, Sec. 27. There is added to chapter 28B.80 RCW a new section to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

'Management employees' mean administrative exempt personnel of the council for postsecondary education who are specified by the council as management.

NEW SECTION, Sec. 28. There is added to chapter 28B.80 RCW a new section to read as follows:

(1) The council shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) The council shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

NEW SECTION, Sec. 29. There is added to chapter 28B.80 RCW a new section to read as follows:

Beginning on July 1, 1984, management employees of the council shall be subject to performance evaluation using the procedures developed under section 28 of this act. Such employees may be granted merit increases in salary based on performance as determined by the council for its employees.

NEW SECTION, Sec. 30. The director of the department of personnel, the director of the higher education personnel board, and the institutions of higher education shall present to the legislature by April 1, 1983, a report containing its proposed rules to implement the performance evaluation process by July 1, 1984, for management employees and by April 1, 1984, a report containing its proposed rules to implement the performance evaluation process by July 1, 1985, for other employees. Such reports shall include, but not be limited to:

(1) The elements of the evaluation;

(2) Training programs;

(3) Application of the performance evaluation to merit increases;

(4) Application to layoff for classified employees; and

(5) Methods to insure that performance evaluation ratings will not be unrealistically concentrated in any category.

For the purposes of this section the proposed rules and regulations relating to employee performance evaluations presented to the legislature as provided herein shall not become effective nor shall any employee be subject to written evaluation thereunder prior to approval of such rules and regulations by the senate and house of representatives in the form of a concurrent resolution. Such rules and regulations shall not become effective until a minimum of thirty days after approval by the legislature in the form of a concurrent resolution. If the legislature fails to adopt such concurrent resolution before July 1, 1986, sections 6 through 9, 11 through 13, 18, 20 through 22, and 25 through 29 of this act are null and void and without further force or effect.

The rules and regulations as approved herein shall become effective as provided herein and thereafter may be amended or revised by the state personnel board pursuant to the terms and conditions of chapter 41.06 RCW and by the higher education personnel board as provided in chapter 28B.16 RCW, but such rules and regulations shall not be amended or revised by the state personnel board or the higher education

personnel board within one hundred eighty days from the effective date of the initial approval by the legislature. In addition to submission of any amendment or revision to the joint legislative rules review committee pursuant to chapter 34.04 RCW, any such amendment or revision shall be submitted to the senate and house of representatives committees on ways and means and state government.

NEW SECTION. Sec. 31. The following acts or parts of acts are each repealed:

(1) Section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; and

(2) Section 10, chapter 1, Laws of 1961 and RCW 41.06.100.

NEW SECTION. Sec. 32. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "employees;" strike the remainder of the title, and insert "amending section 1, chapter 12, Laws of 1970 ex. sess. as amended by section 2, chapter 118, Laws of 1980 and RCW 41.06.020; amending section 1, chapter 11, Laws of 1972 ex. sess. as last amended by section 2, chapter 225, Laws of 1981 and RCW 41.06.070; amending section 13, chapter 1, Laws of 1961 and RCW 41.06.130; reenacting and amending section 15, chapter 1, Laws of 1961 as last amended by section 18, chapter 311, Laws of 1981 and by section 1, chapter 79, Laws of 1982 and RCW 41.06.150; amending section 6, chapter 152, Laws of 1977 ex. sess. and RCW 41.06.169; amending section 2, chapter 36, Laws of 1969 ex. sess. as amended by section 41, chapter 169, Laws of 1977 ex. sess. and RCW 28B.16.020; amending section 4, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 94, Laws of 1977 ex. sess. and RCW 28B.16.040; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 15, chapter 151, Laws of 1979 and RCW 28B.16.100; amending section 13, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.105; amending section 9, chapter 152, Laws of 1977 ex. sess. and RCW 28B.16.101; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 12, chapter 62, Laws of 1973 and RCW 28B.50.030; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 28B.16 RCW; adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28B.80 RCW; adding new sections to chapter 41.06 RCW; creating a new section; repealing section 5, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.050; repealing section 10, chapter 1, Laws of 1961 and RCW 41.06.100; and providing expiration dates."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1226.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker declared the question before the House to be the final passage of Engrossed Substitute House Bill No. 1226 as amended by the Senate.

Mr. Hastings demanded an oral roll call vote and the demand was sustained.

Mr. Williams spoke in favor of passage of the bill, and Mr. Heck spoke against it.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Kreidler.

Mr. Kreidler: "Representative Williams, as I take a look at this bill as it has come over from the Senate, it appears to call for a number of things to be developed. It's going to entail a significant amount of work in the Department of Personnel, yet I haven't seen a fiscal note. Could you give us some indication of what this measure is going to cost?"

Mr. Williams: "No, I can't, Representative Kreidler. I can't tell you how much this will save by having great productivity in state government. I estimate it will save us millions of dollars, but as you know, in referring to House Bill 124, which we just approved, it depends upon your persuasion because each person who looks at it will say a greater number of people will take advantage of the system. It's the same with this. We're not sure how much productivity will increase, but we do know that we can increase productivity in state government. A minor savings in productivity increase translates into millions of dollars for the state."

Mr. Kreidler spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1226 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G.

A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Warnke.

Not voting: Representatives Brown, North, Salatino, Wang, Winsley.

Engrossed Substitute House Bill No. 1226 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

April 5, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1099,
SUBSTITUTE HOUSE BILL NO. 1109,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 5, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4992, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the seventh order of business.

THIRD READING

REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4369 as amended by the House, modifying appropriations for the 1981-83 fiscal biennium, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Section 1.

INDEX

Accountancy Board, sec. 31
 Administrator for the Courts, sec. 9
 Agriculture Department, sec. 68
 Archaeology and Historic Preservation Office, sec. 64
 Arts Commission, sec. 97
 Asian-American Affairs Commission, sec. 16
 Attorney General, sec. 20
 Blind Commission, sec. 57
 Boxing Commission, sec. 32
 Central Washington University, secs. 88, 91
 Chief Administrative Law Judge, sec. 104
 Columbia River Gorge Commission, sec. 60
 Commerce and Economic Development Department, sec. 65
 Community College Education Board, secs. 84, 91
 Compact for Education, sec. 93
 Corrections Department, secs. 38, 39, 106
 Court of Appeals, sec. 8
 Data Processing Authority, sec. 23
 Deferred Compensation Committee, sec. 24
 Eastern Washington State Historical Society, sec. 99
 Eastern Washington University, secs. 87, 91
 Ecology Department, sec. 61
 Emergency Services Department, sec. 35
 Employment Security Department, sec. 56

Energy Fair '83, sec. 105
Energy Office, sec. 59
Environmental Hearings Office, sec. 62
Environmental Policy Commission, sec. 70
Fisheries Department, sec. 66
General Administration Department, secs. 27, 114
Governor, sec. 11
Governor, Special Appropriations, sec. 12
Hospital Commission, sec. 55
Human Rights Commission, sec. 52
Indian Affairs Office, sec. 16
Insurance Commissioner, sec. 28
Jail Commission, sec. 58
Judicial Council, sec. 10
Judicial Information System, sec. 113
Judicial Qualifications Commission, sec. 109
Labor and Industries Department, sec. 53
Law Library, sec. 7
Legislative Budget Committee, sec. 2
Legislative Evaluation and Accountability Program Committee, sec. 3
Lieutenant Governor, sec. 13
Liquor Control Board, sec. 33
Licensing Department, sec. 69
Mexican-American Affairs Commission, sec. 16
Military Department, sec. 36
Minority and Women's Affairs Office, sec. 15
Natural Resources Department, sec. 67
Office of Financial Management, sec. 21
Parks and Recreation Commission, sec. 63
Personnel Appeals Board, sec. 22
Pharmacy Board, sec. 34
Planning and Community Affairs Agency, sec. 51
Postsecondary Education Council, sec. 92
Prison Terms and Paroles Board, sec. 54
Productivity measures, sec. 103
Public Broadcasting Commission, sec. 94
Public Disclosure Commission, sec. 30
Public Employment Relations Commission, sec. 37
Revenue Department, sec. 25
Secretary of State, sec. 14
Sentencing Guidelines Commission, sec. 107
Social and Health Services Department, Administration and Supporting Services Program, sec. 47
Social and Health Services Department, Community Services Administration Program, sec. 48
Social and Health Services Department, Community Social Services Grants Program, sec. 44
Social and Health Services Department, Developmental Disabilities Program, sec. 41
Social and Health Services Department, Income Maintenance Grants Program, sec. 43
Social and Health Services Department, Medical Assistance Grants Program, sec. 45
Social and Health Services Department, Mental Health Program, sec. 40
Social and Health Services Department, Nursing Homes Program, sec. 42
Social and Health Services Department, Services for the Blind, sec. 49
Social and Health Services Department, Vocational Rehabilitation Program, sec. 46
State Actuary, sec. 4
State Auditor, sec. 18
State Capitol Historical Association, sec. 100
State Historical Society, sec. 98
State Library, sec. 96
State Patrol, sec. 110
State Treasurer, sec. 17
State Treasurer, State Revenues for Distribution, sec. 29
State Treasurer, Transfers, sec. 101
Statute Law Committee, sec. 5
Sundry Claims, sec. 102
Superintendent of Public Instruction, Basic Education, sec. 72
Superintendent of Public Instruction, Block Grants, sec. 80
Superintendent of Public Instruction, Educational Clinics, sec. 82
Superintendent of Public Instruction, Educational Service Districts, sec. 79
Superintendent of Public Instruction, Food Service, sec. 77
Superintendent of Public Instruction, Handicapped Costs, sec. 78

Superintendent of Public Instruction, Pupil Transportation, sec. 75
 Superintendent of Public Instruction, Reductions, sec. 83
 Superintendent of Public Instruction (including State Education Board), sec. 71
 Superintendent of Public Instruction, Salary and Compensation Increases, secs. 73, 74
 Superintendent of Public Instruction, State Institutional Education Programs, sec. 81
 Superintendent of Public Instruction, Vocational-Technical Institutes, sec. 76
 Supreme Court, sec. 6
 Tax Appeals Board, sec. 26
 The Evergreen State College, secs. 89, 91
 Transportation Department, secs. 111, 112
 University of Washington, secs. 85, 91
 Veterans Affairs Department, sec. 49
 Vocational Education Commission, sec. 95
 Washington State University, secs. 86, 91
 Western Washington University, secs. 89, 91
 Winter Recreation Commission, sec. 108

Sec. 2. Section 4, chapter 340, Laws of 1981 as amended by section 5, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ~~((+1,163,000))~~
 1,303,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

(2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Reengrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.

Sec. 3. Section 5, chapter 340, Laws of 1981 as amended by section 6, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((+1,180,000))~~
 1,145,000

Sec. 4. Section 6, chapter 340, Laws of 1981 as amended by section 7, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((296,000))~~
 287,000

Sec. 5. Section 7, chapter 340, Laws of 1981 as amended by section 8, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((+275,000))~~
 4,147,000

Sec. 6. Section 8, chapter 340, Laws of 1981 as amended by section 9, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,710,000))~~
 5,630,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 7. Section 9, chapter 340, Laws of 1981 as amended by section 10, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((+658,000))~~
 1,608,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 8. Section 10, chapter 340, Laws of 1981 as amended by section 11, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((7,820,000))~~
 7,720,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 9. Section 11, chapter 340, Laws of 1981 as amended by section 12, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((+10,485,000))
		<u>10,295,000</u>
General Fund—Judiciary Education Account Appropriation	\$	359,000
Total Appropriation	\$	((+10,844,000))
		<u>10,654,000</u>

The appropriations in this section are subject to the following conditions ~~((or))~~ and limitations:

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$310,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 10. Section 12, chapter 340, Laws of 1981 as amended by section 13, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((264,000))
		<u>129,000</u>

The appropriation in this section is subject to the following condition or limitation: \$129,000 is provided solely for fiscal year 1982.

Sec. 11. Section 13, chapter 340, Laws of 1981 as amended by section 14, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,195,000))
		<u>3,099,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 12. Section 14, chapter 340, Laws of 1981 as amended by section 15, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$	((137,236,000))
		<u>112,569,000</u>
General Fund Appropriation—Federal	\$	((24,211,000))
		<u>20,446,000</u>
Special Fund Salary and Insurance Contribution Increase Revolving Fund Appropriation	\$	((48,687,000))
		<u>40,972,000</u>
Total Appropriation	\$	((210,134,000))
		<u>173,987,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$~~((2,247,000))~~ 2,180,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$~~((129,349,000))~~ 100,984,000 of general fund moneys (including \$~~((19,049,000))~~ 15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and

state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective ((February 1) **June 30**, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$((~~39,155,000~~)) 31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1982 act.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 13. Section 15, chapter 340, Laws of 1981 as amended by section 16, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((203,000))
		<u>197,000</u>

Sec. 14. Section 16, chapter 340, Laws of 1981 as amended by section 17, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,800,000))
		<u>3,730,000</u>
Archives and Records Management Account Appropriation	\$	1,135,000
Total Appropriation	\$	((4,935,000))
		<u>4,865,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$(~~25,000~~) 24,000 is provided solely for costs associated with redistricting.

NEW SECTION. Sec. 15. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE GOVERNOR—MINORITY AND WOMEN'S AFFAIRS

General Fund Appropriation \$ 100,000

The appropriation in this section is subject to the following condition or limitation: The governor shall establish within the office of the governor an office of minority and women's affairs. The purpose of this office is to insure equal opportunity for all citizens of the state and to address the unique and special problems of women and minority groups.

Sec. 16. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Commission on Asian-American Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Governor's Office of Indian Affairs

General Fund Appropriation \$ ~~((105,000))~~
55,000

Total Appropriation \$ ~~((315,000))~~
165,000

The appropriations in this section are subject to the following condition (~~and~~) or limitation: (~~The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements~~) The appropriations in this section are provided solely for fiscal year 1982.

Sec. 17. Section 18, chapter 340, Laws of 1981 as amended by section 19, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE STATE TREASURER

Motor Vehicle Fund Appropriation—State \$ 37,000

State Treasurer's Service Fund Appropriation \$ ~~((4,930,000))~~
5,124,000

Total Appropriation \$ ~~((4,967,000))~~
5,161,000

The appropriations in this section are subject to the following condition or limitation: \$194,000 of the state treasurer's service fund appropriation is provided solely for the development, implementation, and operation of an integrated agency financial reporting system with the treasury accounting system.

Sec. 18. Section 19, chapter 340, Laws of 1981 as amended by section 20, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State \$ ~~((1,906,000))~~
1,849,000

General Fund Appropriation—Federal \$ 352,000

General Fund Appropriation—Private/Local \$ 48,000

Motor Vehicle Fund Appropriation \$ 267,000

Auditing Services Revolving Fund Appropriation \$ 5,265,000

Total Appropriation \$ ~~((7,838,000))~~
7,781,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit. (~~Costs to audited agencies shall not exceed the budget preparation estimates provided by the state auditor to the committees on ways and means of the senate and house of representatives which were based on the governor's requested staff level plus seven positions.~~)

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 19. Section 22, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

Net savings of general fund—state moneys realized by agencies as a result of 10.1% reductions in billings to agencies from the following funds shall be placed in reserve status by the director of financial management and shall not be expended until appropriated by law:

(1) Auditing services revolving fund;

(2) ~~(Legal services revolving fund;~~

~~(3))~~ General administration facilities and services revolving fund (excluding the portion reflecting utilities);

~~((4))~~ (3) Department of personnel service fund; and

~~((5))~~ (4) Higher education personnel board service fund.

Sec. 20. Section 20, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((4,300,000))
		3,956,000
Legal Services Revolving Fund Appropriation	\$	((19,513,000))
		18,537,000
Total Appropriation	\$	((23,813,000))
		22,493,000
((FFE Staff Years—Fiscal Year 1982		317.1
FFE Staff Years—Fiscal Year 1983		320.1)

The appropriations in this section are subject to the following conditions ~~((or))~~ and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 21. Section 21, chapter 340, Laws of 1981 as amended by section 24, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,752,000))
		12,674,000
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((19,052,000))
		18,974,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) ~~\$(1,568,000))~~ 1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided ~~((solely))~~ for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

NEW SECTION. Sec. 22. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE PERSONNEL APPEALS BOARD

Department of Personnel Service Fund Appropriation	\$	330,000
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Sec. 23. Section 24, chapter 340, Laws of 1981 as amended by section 26, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((398,000))
		386,000
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	804,000

The appropriations in this section ((is)) are subject to the following conditions ((or)) and limitations: ((~~\$398,000 is provided solely for one year. Funding for the second fiscal year of the biennium shall be considered in the 1982 regular session of the legislature based upon interim recommendations.~~)

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 24. Section 25, chapter 340, Laws of 1981 as amended by section 27, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((31,000))
		30,000

Sec. 25. Section 26, chapter 340, Laws of 1981 as amended by section 28, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((36,493,000))
		36,074,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((39,397,000))
		38,978,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the 1982 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) ~~\$(2,444,000)~~ 2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 26. Section 27, chapter 340, Laws of 1981 as amended by section 29, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((885,000))
		858,000

Sec. 27. Section 28, chapter 340, Laws of 1981 as amended by section 30, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,505,000))
		6,310,000
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropriation	\$	8,688,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,660,000))
		28,465,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the

highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 28. Section 29, chapter 340, Laws of 1981 as amended by section 31, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation \$ ~~(7,189,000)~~
7,043,000

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter ... (Engrossed Substitute Senate Bill No. 4201), Laws of 1982 1st ex. sess.

Sec. 29. Section 30, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution \$ 4,360,000
 General Fund Appropriation for refund of deferred property tax \$ ~~(33,000)~~
123,000
 General Fund Appropriation for public utility district excise tax distribution \$ ~~(12,673,000)~~
13,205,000
 General Fund Appropriation for prosecuting attorneys' salaries \$ 1,449,000
 General Fund Appropriation for motor vehicle excise tax distribution \$ ~~(56,632,000)~~
55,332,000
 General Fund Appropriation for local mass transit assistance \$ ~~(104,279,000)~~
98,779,000
 General Fund Appropriation for camper and travel trailer excise tax distribu-
 tion \$ 1,940,000
 General Fund Appropriation for local fire protection costs \$ 720,000
 General Fund—Harbor Improvement Account Appropriation for harbor
 improvement revenue distribution \$ 728,000
 Liquor Excise Tax Fund Appropriation for liquor excise tax distribution \$ ~~(22,389,000)~~
20,357,000
 Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload pen-
 alties distribution \$ 172,480,000
 Liquor Revolving Fund Appropriation for liquor profits distribution \$ ~~(52,775,000)~~
53,600,000
 State Timber Tax Account 'A' Appropriation for distribution to 'Timber' coun-
 ties \$ ~~(21,400,000)~~
17,570,000
 State Timber Tax Reserve Account Appropriation for distribution to 'Timber'
 counties \$ ~~(56,000,000)~~
46,870,000
 Total Appropriation \$ ~~(507,858,000)~~
487,513,000

Sec. 30. Section 33, chapter 340, Laws of 1981 as amended by section 33, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation \$ ~~(897,000)~~
870,000

Sec. 31. Section 36, chapter 340, Laws of 1981 as amended by section 35, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation \$ ~~(556,000)~~
539,000

The appropriation in this section is subject to the following condition(~~s~~ and) or limitation(~~s~~): (~~(+)~~)
 The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

~~((2) \$20,000 of this appropriation shall not be expended unless, by February 1, 1982, the board of accountancy has increased its CPA examination fees to the maximum level authorized under RCW 18.04.160.)~~

Sec. 32. Section 37, chapter 340, Laws of 1981 as amended by section 36, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation \$ ~~(64,000)~~
62,000

Sec. 33. Section 40, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation \$ ~~(75,823,000)~~
72,032,000

~~((FTE Staff Years—Fiscal Year 1982 1,355.0~~

FTE Staff Years—Fiscal Year 1983 1,354.9)

Sec. 34. Section 41, chapter 340, Laws of 1981 as amended by section 37, chapter 14, Laws of 1981

2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation \$ ~~(966,000)~~
 937,000

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 35. Section 44, chapter 340, Laws of 1981 as amended by section 38, chapter 14, Laws of 1981

2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State \$ ~~((1,005,000))~~
 975,000
 General Fund Appropriation—Federal \$ 2,227,000
 Total Appropriation \$ ~~((3,232,000))~~
 3,202,000

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 36. Section 45, chapter 340, Laws of 1981 as amended by section 39, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State \$ ~~((6,330,000))~~
 6,140,000
 General Fund Appropriation—Federal \$ 1,764,000
 Total Appropriation \$ ~~((8,094,000))~~
 7,904,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 37. Section 46, chapter 340, Laws of 1981 as amended by section 40, chapter 14, Laws of 1981

2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation \$ ~~((1,173,000))~~
 1,138,000

NEW SECTION. Sec. 38. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The department of corrections may modify allotments to include transfers between the programs established within the department. The modifications shall not be made without prior approval of the office of financial management in consultation with the committees on ways and means of the senate and house of representatives.

Sec. 39. Section 48, chapter 340, Laws of 1981 as amended by section 42, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation \$ 43,419,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$15,038,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$2,479,000 is provided solely for intensive parole.

(c) \$21,777,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the assumption of the legislature that the appropriation in this subsection initially provides:

- (i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);
- (iii) \$1,010,000 for the Monroe mental health unit;
- (iv) \$24,990,000 for the Washington State Reformatory;
- (v) \$8,269,000 for the Purdy Treatment Center for Women;
- (vi) \$20,816,000 for the McNeil Island Penitentiary;
- (vii) \$9,090,000 for the Special Offenders Center;
- (viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center(;

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	(18,044,000)
		<u>14,344,000</u>
General Fund—Institutional Impact Account Appropriation	\$	525,000
Total Appropriation	\$	(18,569,000)
		<u>14,869,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) ~~\$(4,102,000)~~ 2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) ~~\$(4,057,000)~~ 1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 40. Section 50, chapter 340, Laws of 1981 as amended by section 44, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(53,186,000)
		<u>52,911,000</u>
General Fund Appropriation—Federal	\$	(14,821,000)
		<u>14,759,000</u>
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	(68,929,000)
		<u>68,592,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) ~~\$(49,212,000)~~ 48,948,000 of which ~~\$(34,815,000)~~ 34,613,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and

health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) ~~\$(19,717,000)~~ 19,644,000 of which ~~\$(18,371,000)~~ 18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	77,511,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	82,596,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 41. Section 51, chapter 340, Laws of 1981 as amended by section 45, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((47,179,000))
		46,778,000
General Fund Appropriation—Federal	\$	9,434,000
Total Appropriation	\$	((56,613,000))
		56,212,000

The appropriations in this subsection are subject to the following condition ~~((and))~~ or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982: PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes: PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((84,028,000))
		83,528,000
General Fund Appropriation—Federal	\$	49,036,000
Total Appropriation	\$	((133,064,000))
		132,564,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) (~~(\$6,781,000 is provided solely for the School for the Deaf, of which \$3,356,000 is for fiscal year 1982 and \$3,424,000 is for fiscal year 1983. \$4,529,000 is provided solely for the School for the Blind, of which \$2,256,000 is for fiscal year 1982 and \$2,273,000 is for fiscal year 1983.~~)

(c) It is the assumption of the legislature that the appropriations in this subsection initially provide:

- (i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;
- (ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;
- (iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;
- (iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;
- (v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;
- (vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and
- (vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,056,000
General Fund Appropriation—Federal	\$	227,000
Total Appropriation	\$	3,283,000

Sec. 42. Section 52, chapter 340, Laws of 1981 as amended by section 46, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((169,475,000))
		167,275,000
General Fund Appropriation—Federal	\$	((169,527,000))
		167,327,000
Total Appropriation	\$	((339,002,000))
		<u>334,602,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 43. Section 53, chapter 340, Laws of 1981 as amended by section 47, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((308,220,000))
		308,198,000
General Fund Appropriation—Federal	\$	((319,215,000))
		319,194,000
Total Appropriation	\$	((627,435,000))
		<u>627,392,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health

services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

- (5) It is the assumption of the legislature that the appropriations in this section initially provide:
 - (a) \$44,220,000 from federal funds for energy assistance;
 - (b) \$61,220,000 from federal funds for Indochinese refugees;
 - (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
 - (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
 - (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
 - (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
 - (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
 - (h) \$2,116,000 from the state general fund for burial assistance;
 - (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and

(j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

(6) Any savings resulting from income maintenance caseload levels being lower than the departmental estimated caseloads as of February 9, 1982, and which are in excess of those savings assumed for grant adjustments, shall lapse at the end of each calendar quarter.

Sec. 44. Section 54, chapter 340, Laws of 1981 as amended by section 48, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$	((135,974,000))
		131,151,000
General Fund Appropriation—Federal	\$	((61,049,000))
		60,976,000
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((197,128,000))
		192,232,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~\$(45,868,000)~~ 41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW ~~((74-08-540))~~ 74.08.541, and for the support of programs utilizing volunteers to provide chore services. ~~((Of that amount, \$28,568,000 is provided for))~~ Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. ((12,800,000 is provided for)) Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. ((2) \$1,698,000 is provided solely for the provision of) Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

~~((3))~~ (2) ~~\$(1,226,000)~~ 1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

~~((4))~~ (3) ~~\$(14,336,000)~~ 13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

~~((5))~~ (4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

~~((6))~~ (5) ~~\$(1,335,000)~~ 833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

((7)) (6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

((8)) (7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;
- (b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;
- (c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;
- (d) \$2,500,000 from federal funds for Indochinese refugees;
- (e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;
- (f) \$14,960,000 from the state general fund for the senior citizens services act;
- (g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;
- (h) \$28,887,000 from the state general fund for congregate care facilities;
- (i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;
- (j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;
- (k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;
- (l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;
- (m) \$1,148,000 from the state general fund for victims of domestic violence;
- (n) \$831,000 (including \$150,000 from the state general fund) for adult day care;
- (o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;
- (p) \$1,200,000 from the state general fund for adult family homes; and
- (q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 45. Section 55, chapter 340, Laws of 1981 as amended by section 49, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((246,389,000)) 253,219,000
General Fund Appropriation—Federal	\$	((212,923,000)) 212,081,000
Total Appropriation	\$	((459,312,000)) 465,300,000

The appropriations in this section are subject to the following conditions or limitations:

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 46. Section 57, chapter 340, Laws of 1981 as amended by section 51, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((16,154,000)) 15,666,000
General Fund Appropriation—Federal	\$	27,468,000
Total Appropriation	\$	((43,622,000)) 43,134,000

Sec. 47. Section 58, chapter 340, Laws of 1981 as amended by section 52, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((63,017,000)) 56,017,000
General Fund Appropriation—Federal	\$	44,191,000
General Fund—Institutional Impact Account Appropriation	\$	75,000
Total Appropriation	\$	((107,283,000))

100,283,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to seven million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 48. Section 59, chapter 340, Laws of 1981 as amended by section 53, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((102,651,000))
		<u>100,661,000</u>
General Fund Appropriation—Federal	\$	((127,224,000))
		<u>126,524,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((229,923,000))
		<u>227,233,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health service in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

NEW SECTION. Sec. 49. There is added to chapter 340, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SERVICES FOR THE BLIND

General Fund Appropriation—State.....	\$	2,094,000
General Fund Appropriation—Federal.....	\$	5,254,000
Total Appropriation.....	\$	7,348,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for the purpose of providing services previously provided by the commission for the blind under chapter 74.16 RCW.

(2) The secretary of social and health services shall ensure that the appropriations are expended through the existing structure of the department.

Sec. 50. Section 61, chapter 340, Laws of 1981 as amended by section 54, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State.....	\$	((14,727,000))
		14,285,000
General Fund Appropriation—Local.....	\$	2,496,000
Total Appropriation.....	\$	((17,223,000))
		16,781,000

Sec. 51. Section 62, chapter 340, Laws of 1981 as amended by section 55, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State.....	\$	((4,226,000))
		4,206,000
General Fund Appropriation—Federal.....	\$	28,152,000
Total Appropriation.....	\$	((32,378,000))
		32,358,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided ((solely)) for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 52. Section 63, chapter 340, Laws of 1981 as amended by section 56, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation—State.....	\$	((2,488,000))
		2,413,000
General Fund Appropriation—Federal.....	\$	517,000
Total Appropriation.....	\$	((3,005,000))
		2,930,000

Sec. 53. Section 66, chapter 340, Laws of 1981 as amended by section 57, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State.....	\$	((5,862,000))
		7,684,000
General Fund—Crime Victims' Compensation Account Appropriation.....	\$	160,000
Accident Fund Appropriation—State.....	\$	39,401,000
Accident Fund Appropriation—Federal.....	\$	366,000
Electrical License Fund.....	\$	7,381,000
Medical Aid Fund Appropriation.....	\$	33,619,000
Plumbing Certificate Fund.....	\$	283,000
Pressure Systems Safety Fund.....	\$	827,000
Total Appropriation.....	\$	((87,899,000))
		89,721,000

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) ~~\$(632,000)~~ 2,630,000 of the general fund—state appropriation is provided solely for victims of crime (~~(pension)~~) benefit payments.

Sec. 54. Section 67, chapter 340, Laws of 1981 as amended by section 58, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,198,000))
		<u>2,223,000</u>

Sec. 55. Section 68, chapter 340, Laws of 1981 as amended by section 59, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((489,000))
		<u>474,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account Appropriation	\$	915,000
Total Appropriation	\$	((1,532,000))
		<u>1,517,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 56. Section 69, chapter 340, Laws of 1981 as amended by section 60, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((2,050,000))
		<u>1,988,000</u>
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—Federal	\$	2,231,000
Unemployment Compensation Administration Fund Appropriation	\$	93,132,000
Total Appropriation	\$	((279,892,000))
		<u>279,830,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

NEW SECTION. Sec. 57. THE COMMISSION FOR THE BLIND. Section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is hereby repealed.

Sec. 58. Section 71, chapter 340, Laws of 1981 as amended by section 62, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((350,000))
		<u>339,000</u>
General Fund—Local Jail Improvement and Construction Account Appropriation	\$	511,000
Total Appropriation	\$	((861,000))
		<u>850,000</u>

Sec. 59. Section 72, chapter 340, Laws of 1981 as amended by section 63, chapter 14, Laws of 1981 2nd ex. sess. (unclassified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State.....	\$	((1,105,000))
		<u>1,005,000</u>
General Fund Appropriation—Federal.....	\$	4,641,000
Total Appropriation.....	\$	((5,746,000))
		<u>5,646,000</u>

Sec. 60. Section 73, chapter 340, Laws of 1981 as amended by section 64, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation.....	\$	((68,000))
		<u>66,000</u>

Sec. 61. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State.....	\$	((20,093,000))
		<u>17,515,000</u>
General Fund Appropriation—Federal.....	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation.....	\$	35,000
General Fund—Reclamation Revolving Account Appropriation.....	\$	580,000
General Fund—Litter Control Account Appropriation.....	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation.....	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26).....	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26).....	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation.....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27).....	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27).....	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.....	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation.....	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39).....	\$	84,780,000
Total Reappropriation.....	\$	72,997,000
Total New Appropriation.....	\$	((21,280,000))
		<u>208,702,000</u>
Total Appropriation.....	\$	((284,277,000))
		<u>281,699,000</u>
((FTE Staff Years—Fiscal Year 1982.....		509.5
FTE Staff Years—Fiscal Year 1983.....		512.1))

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of

any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 62. Section 75, chapter 340, Laws of 1981 as amended by section 66, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((591,000))
		<u>573,000</u>

Sec. 63. Section 77, chapter 340, Laws of 1981 as amended by section 67, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((25,019,000))
		<u>24,349,000</u>
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	((5,498,000))
		<u>5,573,000</u>
General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Appropriation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	((32,469,000))
		<u>31,874,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 64. Section 78, chapter 340, Laws of 1981 as amended by section 68, chapter 14, Laws of 1981 2nd ex. sess. (unmodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((309,000))
		<u>288,000</u>
General Fund Appropriation—Federal	\$	205,000

Total Appropriation \$ ~~((514,000))~~
493,000

Sec. 65. Section 80, chapter 340, Laws of 1981 as amended by section 69, chapter 14, Laws of 1981
2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State \$ ~~((8,190,000))~~
8,095,000
General Fund Appropriation—Federal \$ 391,000
Motor Vehicle Fund Appropriation \$ 395,000
Total Appropriation \$ ~~((8,976,000))~~
8,881,000

Sec. 66. Section 81, chapter 340, Laws of 1981 as amended by section 70, chapter 14, Laws of 1981
2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State \$ ~~((34,672,000))~~
33,632,000
General Fund Appropriation—Federal \$ 5,777,000
General Fund Appropriation—Private/Local \$ 1,873,000
General Fund—Lewis River Hatchery Account Appropriation \$ 27,000
Total Appropriation \$ ~~((42,349,000))~~
41,309,000

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 67. Section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981
2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State \$ ~~((21,418,000))~~
20,775,000
General Fund Appropriation—Federal \$ 1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation \$ 1,711,000
General Fund—Forest Development Account Appropriation \$ 16,669,000
General Fund—State Timber Tax Reserve Account Appropriation \$ 414,000
General Fund—Landowner Contingency Forest Fire Suppression Account
Appropriation \$ 1,878,000
General Fund—Resource Management Cost Account Appropriation \$ 49,977,000
Total Appropriation \$ ~~((93,421,000))~~
92,778,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) ~~((A maximum of \$1,832,000 of the general fund—state appropriation may be expended for the geology and earth resources program.~~

(5)) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

~~((6))~~ (5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 68. Section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981
2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State \$ ~~((8,475,000))~~
8,221,000
General Fund Appropriation—Federal \$ 777,000
General Fund—Feed and Fertilizer Account Appropriation \$ 29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation \$ 358,000
Commercial Feed Fund Appropriation—State \$ 311,000
Commercial Feed Fund Appropriation—Federal \$ 22,000
Seed Fund Appropriation \$ 913,000
Nursery Inspection Fund Appropriation \$ 270,000

Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,433,000))
		<u>28,179,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 69. Section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,412,000))
		<u>9,130,000</u>
General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,496,000))
		<u>74,214,000</u>

Sec. 70. Section 5, chapter 289, Laws of 1981 (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of (~~fifty~~) forty-two thousand dollars, to carry out the purposes of this act.

Sec. 71. Section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((12,314,000))
		<u>11,945,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,755,000))
		<u>18,386,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 72. Section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION FORMULA FOR FISCAL YEARS 1982 AND 1983

General Fund Appropriation	\$	((2,587,966,000))
		<u>2,584,868,000</u>
General Fund—State Timber Tax Reserve Account	\$	4,000,000
Total Appropriation	\$	((2,587,966,000))
		<u>2,588,868,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of this act and compliance with chapter 16, Laws of 1981, the superintendent of public instruction shall ensure that no district provides salary and compensation increases from any fund source whatsoever in excess of those amounts for insurance benefit increases and/or for those percentages for salary increases as specified in this act and LEAP Document 4: PROVIDED, That for the 1981-82 school year, if a school district is in violation of chapter 16, Laws of 1981, or chapter 340, Laws of 1981, as now or hereafter amended, the superintendent shall withhold the lesser of five percent or an amount equal to the level of violation when applied to the district's respective basic education allocation, until such time as the school district comes into compliance: PROVIDED FURTHER, That for the 1982-83 school year, the superintendent shall withhold five percent of a district's respective basic education allocation if the school district violates any provision of this act or chapter 16, Laws of 1981 until such time as a school district comes into compliance: PROVIDED FURTHER, That provisions of any contract in force as of the effective date of chapter 16, Laws of 1981, for school years 1981-82 and 1982-83 that conflict with the provisions of this act may continue in effect and no funds shall be withheld as a result of such contracts: PROVIDED FURTHER, That provisions of a contract in compliance with chapter 16, Laws of 1981, and chapter 340, Laws of 1981, entered into prior (~~to November —, 1981~~) to the effective date of this 1982 act, for the 1982-83

school year that conflicts with provisions of this ((1981)) 1982 amendatory act may continue in effect and no funds shall be withheld as a result of such contracts.

(2)(a) The appropriations in this section and allocation authorized by sections 87 through 91 of this act per annual average full time equivalent student shall constitute 100% of formula as provided in RCW 28A-41.130 as now or hereafter amended.

(b) If the system-wide staff mix factor exceeds 1.6182, the superintendent of public instruction shall make such adjustments as are required to remain within the amounts generated by the staff mix assumption for the total appropriation.

(3) Formula allocation of certificated staff units shall be determined as follows:

(a) One certificated staff unit for each average annual twenty full time equivalent kindergarten, elementary, and secondary students, excluding secondary vocational full time equivalent students enrolled in a vocational program approved by the superintendent of public instruction.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollment above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a K-8 program or 1-8 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a K-6 or 1-6 program, an additional one-half of a certificated staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(d) For districts operating high schools with enrollments of not more than three hundred average annual full time equivalent students, certificated staff units shall be determined as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(4)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$4,572 per staff unit in the 1981-82 school year and a maximum of \$4,966 per staff unit in the 1982-83 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$8,000 per staff unit in the 1981-82 school year and a maximum of \$8,641 per staff unit in the 1982-83 school year.

(5) Formula allocation of classified staff units shall be determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit: PROVIDED, That the funds provided by this subparagraph shall not be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(6) The superintendent of public instruction shall distribute a maximum of \$565,000 outside of the basic education allocation to school districts for fire protection districts at a rate of \$1.00 per year for each student attending a school located in an unincorporated area within a fire protection district as mandated by RCW 52.36.020; a maximum of \$280,000 for the 1981-82 school year, and a maximum of \$285,000 for the 1982-83 school year.

(7) The general fund—state appropriation contained in this section includes all funds received by the state pursuant to Title 16, section 500, United States Code (federal forest funds) which are distributed to the general fund for the benefit of public schools in accordance with RCW 36.33.110. Within thirty days of receipt within the state treasury, the superintendent of public instruction shall distribute such federal forest funds to each eligible school district in an amount not to exceed that which the district would have received in accordance with the basic education apportionment for the previous year. Funds determined to be in excess of that amount shall be distributed to the county for distribution to the school districts within the

county in accordance with RCW 36.33.110: PROVIDED, That if the amount received by any district pursuant to this appropriation is less than the basic education allocation which the district would otherwise receive, the superintendent of public instruction shall allocate from basic education funds to the district an amount equal to the difference between the amount received under this appropriation and the amount the district would otherwise receive under the basic education act.

(8) The superintendent of public instruction may distribute a maximum of \$250,000 for school district emergencies outside of the basic education allocation.

(9) Not more than \$4,518,000 of the appropriation contained in this section shall be expended for districts which experience an enrollment decline in the 1981-82 school year from the 1980-81 base enrollment level and in the 1982-83 school year from the 1981-82 base enrollment level. The superintendent of public instruction shall distribute funds based on certificated staff units in the 1981-82 and 1982-83 school years to such districts on the basis of current school year enrollment plus one quarter of the amount of the enrollment decline from the prior school year level. The superintendent of public instruction, in ascertaining the full time equivalent enrollment under this section for any school district declining in enrollment at a rate of at least four percent, or three hundred full time equivalent students, whichever is less, from the immediately preceding school year, shall increase the enrollment as otherwise herein computed by twenty-five percent of the full time equivalent pupil enrollment loss from the previous school year.

(10) No cash balances or cash reserves of any school district may be confiscated by the state nor used as a local revenue deduction when apportionment funds from this section are distributed to school districts.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 73. Section 88, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

SALARY AND COMPENSATION DEFINITIONS

For purposes of sections 87 through 104 of this act, the following definitions apply:

(1) 'LEAP Document 2' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on April 20, 1981, at 2:02 p.m.

(2) 'LEAP Document 4' means the computer tabulation of 1980-81 derived base salaries for basic education certificated staff, 1980-81 average salaries (derived) for basic education classified staff and 1981-82 and 1982-83 salary increase percentages which was developed by the legislative evaluation and accountability program committee on March 25, 1982 at 4:30 p.m.

(3) 'State-supported staff' means state-funded staff in the following programs: Basic education (program 00), general instructional support (program 94), general support (program 97), secondary vocational education (program 30), handicapped (program 21) exclusive of any staff funded in the block grant program under section 100 of this act, vocational-technical institutes/adult education (programs 47 and 48), state institutions (program 46), educational service districts, and transportation (program 99).

~~((3))~~ (4) 'Incremental fringe benefits' means 7% for certificated staff and 14% for classified staff, which percentage shall be applied to salary increases and is for employer contributions to old age survivor's insurance, workers' compensation, unemployment compensation, and retirement benefits under the public employees' retirement system (chapter 41.40 RCW).

Sec. 74. Section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

SALARY AND COMPENSATION INCREASES

General Fund Appropriation \$ ~~((152,352,000))~~
112,299,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds shall be allocated by the superintendent of public instruction as specified in this section and may be expended by school districts for any state funded activity.

~~((The 1982-83 salary and incremental fringe benefit increase allocation provided by this section shall be implemented on January 1, 1983, to each local school district on the basis of the RCW-28A.48.010 monthly schedule for the applicable months during the 1982-83 state fiscal year.~~

~~((4))~~ A maximum of \$~~((83,742,000))~~ 54,666,000 for the 1981-83 biennium may be expended for provision of basic education state-supported certificated staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage salary increases under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((b))~~ (7) (b) and (c) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.

~~((5))~~ (4) A maximum of \$~~((18,910,000))~~ 12,113,000 for the 1981-83 biennium may be expended for provision of basic education state-supported classified staff salary increases as provided in LEAP Document 2 and concomitant incremental fringe benefits. Local school district percentage increases provided under this section, excluding incremental fringe benefits and including any relevant increases as a result of the provisions of subsection ~~((b))~~ (7)(b) of this section, shall not exceed the percentages specified in LEAP Document ~~((2))~~ 4.

~~((66))~~ (5) A maximum of ~~\$(34,430,000)~~ 34,147,000 for the 1981-83 biennium may be expended for insurance benefit increases for state-supported basic education certificated and classified staff at a rate of \$26 per month per full time equivalent staff unit in 1981-82 and an additional \$16 per month in 1982-83.

~~((77))~~ (6) A maximum of ~~\$(15,270,000)~~ 10,922,000 for the 1981-83 biennium for state-supported staff salary, insurance benefit increases, and concomitant incremental fringe benefits for educational service district staff, institutional education staff (program 46), vocational-technical institutes/adult basic education (programs 47 and 48), handicapped program staff (program 21) and transportation staff (program 99), to be distributed at rates and/or percentages not exceeding those specified for the basic education certificated or classified staff, as the case may be, of a district using the pertinent program derived base salary and staff mix factor for certificated staff and average salary for classified staff. Educational service district staff shall receive salary increases funded from this appropriation at the support level provided in section 99 of this act at a rate of 6.87% in 1981-82 and 7.35% in 1982-83, effective ~~(January 1)~~ June 30, 1983, and insurance benefit increases at the same rate as provided in subsection ~~((66))~~ (5) of this section. Educational service districts, institutional education (program 46) and vocational-technical institutes/adult basic education (programs 47 and 48) shall receive first draw from this appropriation.

~~((88))~~ (7) For purposes of chapter 16, Laws of 1981, the following conditions and limitations shall apply:

(a) Districts may provide salary and insurance benefit increases for nonstate-supported activities at rates not exceeding those specified by LEAP Document ((2)) 4 for state-supported basic education certificated staff in each school year of the biennium for each district.

(b) That part of insurance benefits granted employees that are in excess of:

(i) \$121 per full time equivalent staff unit in 1981-82 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4: PROVIDED, That if insurance benefits granted employees in 1980-81 were in excess of \$121 per full time equivalent staff unit then only that part granted to employees for 1981-82 in excess of the 1980-81 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4.

(ii) \$137 per full time equivalent staff unit in 1982-83 shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4: PROVIDED, That if insurance benefits granted employees in 1981-82 were in excess of \$137 per full time equivalent staff unit then only that part granted to employees for 1982-83 in excess of the 81-82 level shall constitute a portion of the salary increase specified in LEAP Document ((2)) 4.

(c) Increments granted by school districts to certificated staff shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments which are provided pursuant to LEAP Document 1.

~~((99))~~ (8) A district shall not be in violation of this section or chapter 16, Laws of 1981, as a result of corrections to the reported staff mix data in the 1980-81 ~~((or)), 1981-82, or 1982-83 school years~~ as long as the average salary for the 1981-82 and 1982-83 school year, respectively, does not exceed the average salary that would have been generated through consistent application of the incorrect base salary and staff mix in the 1981-82 and 1982-83 school year, respectively.

~~((10) The salary increase for the 1982-83 fiscal year shall take effect January 1, 1983.)~~ (9) The 1982-83 salary increase shall be effective on June 30, 1983, and shall be allocated by the superintendent of public instruction as specified in LEAP Document 2.

(10) A maximum of \$451,000 shall be distributed to those school districts which after May 19, 1981, and prior to December 1, 1981, incurred a contractual obligation to pay any employee or employee group a salary increase during the 1982-83 school year and such obligation cannot be revoked or otherwise avoided by unilateral action of such districts: PROVIDED, That the total salary increase obligation is within the limits prescribed by LEAP Document 2: PROVIDED FURTHER, That the portion of salary increase funds provided to each qualifying district shall be distributed in the same proportion to the total provided herein as its irrevocable salary increase obligation is in proportion to the total irrevocable salary increase obligation of all qualifying districts: PROVIDED FURTHER, That the determination of revocability or avoidability of the obligation for purposes of receipt of the funds provided under this subsection shall be the sole and final determination of the state attorney general after reviewing the contract regardless of what may be determined by an arbitrator or court as to the school district's obligation to its employees.

(11) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 75. Section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION
 General Fund Appropriation \$ 147,300,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$842,000 may be expended for regional transportation coordinators.

(2) A maximum of \$74,000 may be expended for driver training.

(3) (a) If House Bill No. 711 is enacted during the 1981 regular session of the legislature, activities eligible for state reimbursement in the 1982-83 school year are as follows:

(i) Handicapped student transportation;

(ii) Transportation of students to and from the nearest or next-nearest school in accordance with RCW 28A.41.160(1) as amended by Engrossed Substitute House Bill No. 711;

(iii) Costs of acquisition of approved transportation equipment in accordance with RCW 28A.41.160(2);

(iv) Transportation of students to and from two or more locations during the school day when necessary for the student to pursue his or her course of study: PROVIDED, That field trips and extracurricular transportation shall not be funded under this section.

(b) The superintendent of public instruction shall transfer \$6,000,000 from this appropriation to the appropriation provided for block grants in section 100 of this act if Engrossed Substitute House Bill No. 711 is enacted during the 1981 regular session of the legislature and if, on or after October 1, 1982, the superintendent certifies to the governor that its enforcement was not subject to a permanent or preliminary injunction at any time during the previous thirty days.

(4) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 76. Section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation	\$ ((4,168,000))
	<u>41,323,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) (a) The 1981-82 school year appropriation is based on an enrollment of 9,561 full time equivalent students at a state support level per student of \$2,063, not including salary and insurance benefit increases.

(b) The 1982-83 school year appropriation is based on an enrollment of 9,905 full time equivalent students at a state support level per student of \$2,136, not including salary and insurance benefit increases.

(2) A maximum of \$533,000 of this appropriation may be expended for adult education.

(3) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 77. Section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State	\$ 6,432,000
General Fund Appropriation—Federal	\$ 69,744,000
Total Appropriation	\$ 76,176,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 78. Section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State	\$ 119,921,000
General Fund Appropriation—Federal	\$ 27,200,000
Total Appropriation	\$ 147,121,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 1981-82 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3.

(2) For the 1982-83 school year, the superintendent of public instruction shall allocate funds in accordance with LEAP Document 3 (Revised).

(3) Communication disordered, specific learning disabled, and behaviorally disabled students may be served from funds appropriated for the block grant program.

(4) The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act.

Sec. 79. Section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$ ((3,986,000))
	<u>3,946,000</u>
State Funding Sources	\$ 3,373,000
Total Appropriation	\$ ((7,359,000))
	<u>7,319,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General	State Funding
	Fund—State	Sources
E.S.D. No. 101	\$((505,000))	\$562,000

E.S.D. No. 105	<u>501,000</u> \$((484,000))	\$269,000
E.S.D. No. 112	<u>479,000</u> \$((407,000))	\$453,000
E.S.D. No. 113	<u>403,000</u> \$((434,000))	\$483,000
E.S.D. No. 114	<u>430,000</u> \$((374,000))	\$208,000
E.S.D. No. 121	<u>370,000</u> \$((356,000))	\$396,000
E.S.D. No. 123	<u>352,000</u> \$((472,000))	\$262,000
E.S.D. No. 171	<u>467,000</u> \$((577,000))	\$321,000
E.S.D. No. 189	<u>571,000</u> \$((377,000))	\$419,000
Total	<u>373,000</u> \$((3,986,000))	\$3,373,000
	<u>3,946,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 80. Section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR BLOCK GRANTS

General Fund Appropriation—State..... \$ 109,160,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$46,285,000 may be expended in the 1981–82 fiscal year for provision of programs as delineated in subsection (3) of this section to be distributed on a pro rata basis by the superintendent of public instruction to school districts on the basis of the amount of state funds received by each school district on an annual average full time equivalent enrollment for the 1980–81 school year using the following: Bilingual program; gifted program; urban and rural racially disadvantaged program; remediation program; and state funds received for specific learning disabled students, behaviorally disabled students, and communication disordered students.

(2) A maximum of \$((~~60,289,000~~)) 59,679,000 may be expended for the 1982–83 fiscal year to be distributed by the superintendent of public instruction as follows:

(a) One-third of the funds shall be distributed on the basis of each district's annual average full time equivalent enrollment adjusted by the ratio of a district's recognized basic education average certificated salary to the state-wide average recognized basic education average certificated salary.

(b) The remaining funds shall be distributed on the same basis as funds were distributed in the 1981–82 school year pursuant to subsection (1) of this section.

(3) The funds allocated by this section may be expended by school districts for provision of special instructional programs, including but not limited to: Remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs; and programs for the specific learning disabled, communication disordered, and behaviorally disordered.

(4) From the dollars allocated per student, the superintendent may charge a state-wide or regional fee to maintain programs of state-wide or regional benefit, provided school boards representing a majority of the population agree to the fee.

(5) \$2,966,000 is provided solely for support of Indochinese refugee educational programs.

(6) The superintendent of public instruction shall contract \$230,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) Salary and benefits increases are included in the funds allocated by this section.

(8) The disbursements to local school districts from the appropriation in this section are subject to reductions under section 83 of this 1982 act.

Sec. 81. Section 101, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State.....	\$ ((15,438,000))
	<u>15,361,000</u>
General Fund Appropriation—Federal.....	\$ 5,560,000
Total Appropriation.....	\$ ((20,998,000))
	<u>20,921,000</u>

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of this 1982 act: PROVIDED, That percentage reductions in this program by any school district shall not exceed 0.5% on a biennial basis.

Sec. 82. Section 105, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS
 General Fund Appropriation \$ ~~((1,000,000))~~
 990,000

NEW SECTION. Sec. 83. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The superintendent of public instruction shall achieve a reduction of \$15,674,000 in the total disbursements of state general fund moneys to local school districts for the 1982-1983 school year for those programs under sections 72, 74, 75, 76, 77, 78, 80, and 81 of this 1982 act. This reduction approximates a 0.5% biennial reduction in the state general fund appropriation for disbursement to each local school district. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 84. Section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
 General Fund Appropriation—State \$ ~~((378,408,000))~~
 370,840,000
 General Fund Appropriation—Federal \$ 271,000
 Total Appropriation \$ ~~((378,679,000))~~
 371,111,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) 'Waived operating fees' means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) 'Total operating fees' means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 85. Section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON
 General Fund Appropriation \$ ~~((280,102,000))~~
 281,551,000
 Accident Fund Appropriation \$ 1,027,000
 Medical Aid Fund Appropriation \$ 1,027,000
 University of Washington Building Account Appropriation \$ ~~((55,355,000))~~
 48,304,000
 Total Appropriation \$ ~~((337,511,000))~~
 331,909,000

The appropriations in this section are subject to the following conditions ((or)) and limitations:

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 86. Section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((172,832,000))
		169,375,000
Washington State University Building Account Appropriation	\$	18,200,000
Total Appropriation	\$	((191,032,000))
		187,575,000

The appropriations in this section are subject to the following conditions ((or)) and limitations:

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 87. Section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((54,417,000))
		53,329,000
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((56,483,000))
		55,395,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 88. Section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((48,852,000))
		47,875,000
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((50,518,000))
		49,541,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 89. Section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((25,247,000))
		24,742,000

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 90. Section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((58,362,000))
		57,195,000
Western Washington University Capital Projects Account Appropriation	\$	3,102,000
Total Appropriation	\$	((61,464,000))
		60,297,000

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

NEW SECTION. Sec. 91. There is added to chapter 340, Laws of 1981 a new section to read as follows:

(1) FOR INSTITUTIONS FOR HIGHER EDUCATION—SUPPLEMENTAL TUITION APPROPRIATIONS

(a) THE UNIVERSITY OF WASHINGTON	
General Fund Appropriation	\$ 2,667,000
(b) WASHINGTON STATE UNIVERSITY	
General Fund Appropriation	\$ 1,649,000
(c) EASTERN WASHINGTON UNIVERSITY	
General Fund Appropriation	\$ 514,000
(d) CENTRAL WASHINGTON UNIVERSITY	
General Fund Appropriation	\$ 466,000
(e) THE EVERGREEN STATE COLLEGE	
General Fund Appropriation	\$ 242,000
(f) WESTERN WASHINGTON UNIVERSITY	
General Fund Appropriation	\$ 553,000
(g) THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION	
General Fund Appropriation	\$ 3,609,000

(2) The appropriations in subsection (1) of this section are subject to the following conditions and limitations:

(a) The appropriations in subsection (1) of this section are contingent upon the enactment of Second Substitute House Bill No. 784.

(b) If the final fiscal note approved by the office of financial management for Second Substitute House Bill No. 784 indicates estimated excess revenues of less than \$9,700,000, the appropriations in subsection (1) of this section shall be reduced proportionately. As used in this section, 'estimated excess revenues' means estimated revenues in excess of \$11,200,000.

(3) The appropriations in sections 84 through 91 of this 1982 act are subject to the following condition or limitation: To the maximum extent feasible, new instructional staffing will be in nontenure-track appointments.

Sec. 92. Section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$ ((20,478,000))
	<u>19,878,000</u>
General Fund Appropriation—Federal	\$ 3,684,000
Total Appropriation	\$ ((24,162,000))
	<u>23,562,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 93. Section 114, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$ ((29,200))
	<u>61,000</u>

~~((The appropriation in this section is subject to the following condition or limitation: This appropriation is provided solely for the first fiscal year of the biennium:))~~

Sec. 94. Section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$ ((128,000))
	<u>124,000</u>
General Fund Appropriation—Federal	\$ 8,000
Total Appropriation	\$ ((136,000))
	<u>132,000</u>

Sec. 95. Section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$ ((1,734,000))
	<u>1,682,000</u>
General Fund Appropriation—Federal	\$ 27,157,000
Total Appropriation	\$ ((28,891,000))
	<u>28,839,000</u>

The appropriations in this section are subject to the following condition (~~and~~) or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 96. Section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE LIBRARY

General Fund Appropriation—State	\$ ((6,466,000))
	<u>6,426,000</u>
General Fund Appropriation—Federal	\$ 2,147,000
General Fund Appropriation—Private/Local	\$ 168,000

Washington Library Network Computer System Revolving Fund Appropria- tion—Private/Local	\$	5,417,000
Total Appropriation	\$	((14,198,000)) 14,158,000

The appropriations in this section are subject to the following condition or limitation: \$1,155,000 (of which \$98,000 is from federal funds) of the general fund appropriation, or as much additional funding as is necessary to maintain current service levels and expand the radio reading service to Spokane, shall be expended for the library for the blind and physically handicapped.

Sec. 97. Section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((1,228,286)) 1,191,000
General Fund Appropriation—Federal	\$	893,000
Total Appropriation	\$	((2,121,286)) 2,084,000

The appropriations in this section are subject to the following condition or limitation: ~~\$((679,000))~~ 659,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 98. Section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((541,000)) 525,000
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The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 99. Section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((454,000)) 440,000
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Sec. 100. Section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((399,000)) 387,000
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General Fund—State Capitol Historical Association Museum Account Appropriation	\$	53,000
Total Appropriation	\$	((452,000)) 440,000

Sec. 101. Section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	8,000
General Fund—Criminal Justice Training Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$1,100,000	\$	1,100,000
General Fund—Investment Reserve Account Appropriation: For transfer to the general fund on or before June 29, 1983, pursuant to chapter 50, Laws of 1969	\$	40,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1981, through June 30, 1983	\$	3,000,000
Motor Vehicle Fund Appropriation: For transfer to the Grade Crossing Protective Fund for appropriation to the utilities and transportation commission for the 1981–1983 biennium to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, and 81.53.291	\$	697,000
Motor Vehicle Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	40,000
State Treasurer's Service Fund Appropriation: For transfer to the general fund on or before July 20, 1983, an amount up to \$17,794,000 in excess of the cash requirements in the State Treasurer's Service Fund for fiscal year 1984, for credit to the fiscal year in which earned	\$	17,794,000

Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	2,572,000
General Fund—Trust Land Purchase Account Appropriation: For transfer to the general fund on or before June 30, 1983, an amount up to \$(856,000) <u>1,028,000</u> in excess of the cash requirements in the Trust Land Purchase Account, as determined by the office of financial management	\$	((856,000)) <u>1,028,000</u>

General Fund Appropriation: For transfer to the law enforcement officers' and fire fighters' retirement system: PROVIDED, That the amount transferred shall not exceed the additional interest which would have been earned by the system if the amounts appropriated in section 34, chapter 340, Laws of 1981 had been transferred to the system quarterly \$ 22,000,000

NEW SECTION. Sec. 102. There is added to chapter 340, Laws of 1981 a new section to read as follows:

The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period July 1, 1981, to June 30, 1983.

SUNDRY CLAIMS

General Fund Appropriations, except as otherwise provided, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

- (1) Joe A. Allemandi, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund
- (2) Hallie Fletcher, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund
- (3) Mabel G. Dillon, Reimbursement for amount paid to state, plus interest, for purchase of tidelands which she already owned: PROVIDED, That payment shall be made from the resource management cost account in the General Fund
- (4) Tjarnberg Brothers Orchard, Payment for damage to crops by game: PROVIDED, That payment shall be made from the Game Fund
- (5) Living Services, Inc., Payment of Stipulated Judgment No. 79-2-1433-5
- (6) William Folden, Payment of Stipulated Judgment No. 79-2-1433-5
- (7) Insley, Best, Chapin, Uhlman & Doezie, P.S., Payment of Stipulated Judgment No. 79-2-1433-5
- (8) Allinson, Inc., Payment of Stipulated Judgment No. 79-2-00445-3: PROVIDED, That payment shall be made from the Motor Vehicle Fund, as is available under RCW 46.16.061
- (9) Spokane Community College, Reimbursement for payment of Stipulated Judgment No. 81200361-8
- (10) Office of Financial Management, Payment of weed district assessments on state lands, as presented by the Office of State Auditor

NEW SECTION. Sec. 103. There is added to chapter 340, Laws of 1981, a new section to read as follows:

(1) The legislature assumes that \$30,000,000 in savings in state general fund expenditures will result from the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424. Each elected state official shall reduce allotments of agencies for which the official has allotment revision authority to reflect the savings actually realized as a result of the enactment of Second Substitute House Bill No. 124 or Senate Bill No. 4424.

(2) If neither Second Substitute House Bill No. 124 nor Senate Bill No. 4424 are enacted during the 1982 1st extraordinary session of the legislature, the governor shall implement measures improving productivity, including but not limited to shorter office hours, fewer work days, and leave without pay. To this end, the governor shall reduce the allotments of moneys appropriated to the agencies for which the governor has allotment revision authority so that the aggregate of the allotments is at least ten million dollars less than the aggregate of the appropriations for those agencies. The allotment reductions shall be distributed among the agencies in a manner which in the governor's judgment will enhance productivity. Other elected state officials shall implement similar productivity increases wherever feasible.

(3) The portion of any appropriation not needed for an allotment as reduced under this section shall lapse. The allotment reductions made under this section are in addition to any allotment reductions which may be made under chapter 43.88 RCW.

Sec. 104. Section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred ~~((eight))~~ five thousand dollars, or so much thereof as may be necessary.

Sec. 105. Section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the office of financial management from the general fund for the biennium ending June 30, 1983, the sum of ~~((one million three hundred fifty))~~ thirty-nine thousand dollars ~~((or so much thereof as may be necessary))~~ to be disbursed to the department of commerce and economic development, the state energy office, and the department of natural resources, or their successor agencies, for the development, installation, and presentation of an exhibition at Energy Fair '83 during the period of the exposition ~~((PROVIDED, That these funds shall revert to the general fund on April 1, 1982, unless the citizens of Benton and/or Franklin counties and/or the municipalities therein have favorably passed a bond issue which would fund that portion of Energy Fair '83 costs which are a local responsibility))~~.

Sec. 106. Section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund ~~\$((372,565))~~ 365,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 107. Section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of ~~((six hundred sixteen))~~ five hundred ninety-eight thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 108. There is appropriated from the state general fund to the Washington state winter recreation commission for the biennium ending June 30, 1983, the sum of twenty-eight thousand dollars for the duties imposed upon the commission by Substitute Senate Bill No. 4841. This appropriation is contingent on the enactment of Substitute Senate Bill No. 4841 during a 1982 session of the legislature.

Sec. 109. Section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of ~~\$((258,000))~~ 254,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 110. Section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State	\$ ((+2,062,761))
	<u>11,700,878</u>
Motor Vehicle Fund—State Patrol Highway Account Appropriation—	
State	\$ 90,391,815
Highway Safety Fund Appropriation—State	\$ 9,000
Total Appropriation	\$ ((+102,463,576))
	<u>102,101,693</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 111. Section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation—State	\$ 8,722
General Fund Appropriation—State	\$ ((59,200))
	<u>57,424</u>
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropria-	
tion—State	\$ 525,462
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropria-	
tion—State	\$ 441,773
Motor Vehicle Fund Appropriation—State	\$ 15,417,283
Total Appropriation	\$ ((+16,452,440))
	<u>16,450,664</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 112. Section 11, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	((815,576))
		791,100
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000
(2) For planning and research:		
Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,352,479))
		<u>22,328,009</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation ((and the legislative transportation committee)).

Sec. 113. Section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ((ninety)) eighty-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ((nine)) eight hundred ((fifty-five)) twenty-five thousand dollars for the judicial information system.

NEW SECTION. Sec. 114. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		332,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
332,000		332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		140,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
140,000		140,000

(3) Develop schematic designs and begin the remodeling of the house office building.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		100,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
100,000	3,900,000	4,000,000

NEW SECTION. Sec. 115. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 116. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "modifying appropriations and expenditures for the operations and capital-projects of state agencies for the fiscal biennium beginning July 1, 1981, and ending June 30, 1983; amending section 4, chapter 340, Laws of 1981

section 70, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 83, chapter 340, Laws of 1981 as amended by section 71, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 84, chapter 340, Laws of 1981 as amended by section 72, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 85, chapter 340, Laws of 1981 as amended by section 73, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 5, chapter 289, Laws of 1981 (uncodified); amending section 86, chapter 340, Laws of 1981 as amended by section 74, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 87, chapter 340, Laws of 1981 as amended by section 75, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 88, chapter 340, Laws of 1981 (uncodified); amending section 92, chapter 340, Laws of 1981 as amended by section 76, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 94, chapter 340, Laws of 1981 as amended by section 77, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 95, chapter 340, Laws of 1981 as amended by section 78, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 96, chapter 340, Laws of 1981 as amended by section 79, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 97, chapter 340, Laws of 1981 as amended by section 80, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 99, chapter 340, Laws of 1981 as amended by section 81, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 100, chapter 340, Laws of 1981 as amended by section 82, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 101, chapter 340, Laws of 1981 (uncodified); amending section 105, chapter 340, Laws of 1981 (uncodified); amending section 107, chapter 340, Laws of 1981 as amended by section 83, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 108, chapter 340, Laws of 1981 as amended by section 84, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 109, chapter 340, Laws of 1981 as amended by section 85, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 110, chapter 340, Laws of 1981 as amended by section 86, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 111, chapter 340, Laws of 1981 as amended by section 87, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 112, chapter 340, Laws of 1981 as amended by section 88, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 113, chapter 340, Laws of 1981 as amended by section 89, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 115, chapter 340, Laws of 1981 as amended by section 90, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 114, chapter 340, Laws of 1981 (uncodified); amending section 116, chapter 340, Laws of 1981 as amended by section 91, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 118, chapter 340, Laws of 1981 as amended by section 92, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 120, chapter 340, Laws of 1981 as amended by section 94, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 121, chapter 340, Laws of 1981 as amended by section 95, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 122, chapter 340, Laws of 1981 as amended by section 96, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 340, Laws of 1981 as amended by section 97, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 124, chapter 340, Laws of 1981 as amended by section 98, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 125, chapter 340, Laws of 1981 as amended by section 99, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 37, chapter 67, Laws of 1981 as amended by section 101, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 2, chapter 69, Laws of 1981 as amended by section 102, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 123, chapter 136, Laws of 1981 as amended by section 103, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 42, chapter 137, Laws of 1981 as amended by section 104, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 16, chapter 268, Laws of 1981 as amended by section 106, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 6, chapter 317, Laws of 1981 as amended by section 107, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 8, chapter 317, Laws of 1981 as amended by section 109, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); amending section 11, chapter 317, Laws of 1981 (uncodified); amending section 10, chapter 330, Laws of 1981 as amended by section 112, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); adding new sections to chapter 340, Laws of 1981; adding a new section to chapter 143, Laws of 1981; creating new sections; repealing section 70, chapter 340, Laws of 1981, section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified); and declaring an emergency."

Signed by Senators Hayner, Scott; Representatives Nelson (G), Chandler, Sommers.

MOTION

On motion of Mr. Chandler, the House adopted the report of the Free Conference Committee.

FINAL PASSAGE OF SENATE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4369 as amended by Free Conference Committee.

Representatives Chandler, Nelson (G), Taylor and Lewis spoke in favor of the bill, and Representatives Ehlers, Sommers, O'Brien and Erak spoke against it.

Mr. Struthers demanded an oral roll call vote and the demand was sustained.

Mr. Van Dyken spoke in favor of passage of the bill, and Mr. Nelson (D) spoke against it.

POINT OF INQUIRY

Mr. Nelson (D) yielded to question by Mr. Williams.

Mr. Williams: "Do your new numbers reflect the fact that K-12 enrollment is down; that there is a significant decrease in the DSHS caseload; that the CPI is below the original budget forecast; the energy crisis is significantly below what had been forecast in the budget?"

Mr. Nelson (D): "Yes, they do. They would reflect it to the extent that this budget revision will not substantially change any of these numbers, and, in your words, this budget revision is downward by \$150 million, and reflects those factors at work. This budget revision will not change the overall negative decline of state budget from the last biennium to this biennium."

Representatives Williams and Hastings spoke in favor of passage of the bill, and Representatives King (R), Cole and Warnke spoke against it.

Representatives Taylor and Chandler spoke again in favor of the bill, and Mr. Ehlers again opposed it.

Representative Winsley appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4369 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 59; nays, 37; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Brown, Salatino.

Engrossed Substitute Senate Bill No. 4369 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House was called to order at 3:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Winsley.

MESSAGE FROM THE SENATE

April 5, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 784,
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 124,
SECOND SUBSTITUTE HOUSE BILL NO. 784,
HOUSE BILL NO. 829,
SUBSTITUTE HOUSE BILL NO. 1226.

MOTION

On motion of Mr. Struthers, the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-177, by Representatives Polk, Nelson (G), Ehlers, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson and Winsley:

WHEREAS, Vito T. Chiechi, has served the Washington State House of Representatives with distinction as its Chief Clerk; and

WHEREAS, He has given honorable service to the House of Representatives for nearly a decade; and

WHEREAS, His unwavering dedication to the House of Representatives as an institution of government allowed him to serve as an effective Co-Chief Clerk under the unprecedented demands of the historic tie in the House; and

WHEREAS, His knowledge of the orderly process by which this House must proceed, if it is to proceed at all, has been acknowledged and gratefully received by members on both sides of the aisle; and

WHEREAS, Vito T. Chiechi has now been asked to serve the Federal Government as the Director of the Department of General Services Administration Region X offices; and

WHEREAS, Vito T. Chiechi has accepted the Presidential appointment and will be assuming his new role tomorrow morning;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we hereby extend our appreciation to Vito T. Chiechi for his years of excellent service to the House of Representatives and the people of the state of Washington; and

BE IT FURTHER RESOLVED, That a suitably inscribed copy of this resolution be presented to Vito T. Chiechi, Chief Clerk of the Washington State House of Representatives.

Representative Nelson (G) moved adoption of the resolution. Representatives Nelson (G), Ehlers, O'Brien, Warnke and Bond spoke in favor of the resolution.

House Resolution No. 82-177 was adopted.

The Speaker declared the House to be recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker and Winsley.

MESSAGES FROM THE GOVERNOR

April 5, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 3, 1982, Governor Spellman approved the following House Bills, entitled:

- SUBSTITUTE HOUSE BILL NO. 436: Relating to auctioneers;
- SUBSTITUTE HOUSE BILL NO. 452: Relating to urban arterials;
- SUBSTITUTE HOUSE BILL NO. 593: Relating to state employees;
- HOUSE BILL NO. 768: Relating to corrections;
- SUBSTITUTE HOUSE BILL NO. 778: Relating to state government;

SUBSTITUTE HOUSE BILL NO. 855: Relating to the division of municipal corporations;

HOUSE BILL NO. 916: Relating to interest on judgments;

SUBSTITUTE HOUSE BILL NO. 922: Relating to the board of prison terms and paroles;

SUBSTITUTE HOUSE BILL NO. 936: Relating to banks and trust companies;

SUBSTITUTE HOUSE BILL NO. 1006: Relating to property rights;

SUBSTITUTE HOUSE BILL NO. 1011: Relating to petitioning local government officials;

SUBSTITUTE HOUSE BILL NO. 1149: Relating to fireworks.

Sincerely,
Marilyn Showalter, Counsel.

April 5, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 5, 1982, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 808: Relating to corrections;

SUBSTITUTE HOUSE BILL NO. 1156: Relating to commerce and economic development.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

April 5, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4640, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 5, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4992,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4992.

On motion of Mr. Nelson (G), the House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

April 5, 1982

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, Prime Sponsor, Committee on Ways and Means, modifying provisions relating to vacation leave for public employees. Reported by Committee on Appropriations - General Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 27 insert the following:

"NEW SECTION, Sec. 3. Section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041 are each repealed."

Renumber the remaining sections accordingly.

On page 1, line 5 of the title after "section;" insert "repealing section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041;"

Signed by Representatives Williams, Chairman; Fiske, Vice Chairman; Amen, Barnes, Ellis, McGinnis, Chandler, Chairman, Committee on Ways and Means.

Voting nay: Representatives Thompson, Ranking Minority Member; Kaiser, King (J), Maxie, Monohon.

Not attending: Representative Rosbach.

Passed to Committee on Rules for second reading.

The Speaker called on Mr. Amen to preside.

MOTION

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143 as amended by the House, by Committee on Local Government (originally sponsored by Senators Gallagher, Fleming, Bottiger, Zimmerman, Hemstad, Bauer and Benitz - by Governor Spellman request):

Providing the means for the payment of indebtedness on public improvements.

The resolution was read the third time and placed on final passage.

Representatives Greengo, Galloway, Hine, Heck and O'Brien spoke in favor of the resolution, and Representative Hastings spoke against it.

Mr. Greengo spoke again in favor of the resolution.

Mr. Padden demanded an oral roll call vote and the demand was not sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 143 as amended by the House, and the resolution received the constitutional two-thirds majority by the following vote: Yeas, 73; nays, 22; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Isaacson, Kaiser, King J., King R., Kreidler, Lewis, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Owen, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barr, Berleen, Cantu, Clayton, Dickie, Flanagan, Hankins, Hastings, James, Johnson, Leonard, Lundquist, Lux, McDonald, Nickell, North, Padden, Patrick, Sanders, Schmidt, Smith, Tilly.

Not voting: Representatives Addison, Becker, Winsley.

Engrossed Substitute Senate Joint Resolution No. 143 as amended by the House, having received the constitutional two-thirds majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603 as amended by the House, by Committee on Ways and Means (originally sponsored by Senators Zimmerman, Fleming, Bottiger, Hemstad, Bauer, Benitz and Fuller - by Governor Spellman request):

Providing the means for the payment of public indebtedness on public improvements.

The bill was read the third time and placed on final passage.

Mr. Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 4603 as amended by the House, and the bill passed the House by the following vote: Yeas, 75; nays, 21; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Dawson, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Isaacson, Kaiser, King J., King R., Kreidler, Lewis, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Barr, Berleen, Cantu, Clayton, Dickie, Flanagan, Hankins, Hastings, James, Johnson, Leonard, Lundquist, Lux, McDonald, Nickell, North, Padden, Sanders, Schmidt, Smith, Tilly.

Not voting: Representatives Becker, Winsley.

Engrossed Second Substitute Senate Bill No. 4603 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

April 5, 1982

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Wilson moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1217.

Mr. Nelson (D) moved that the House do concur in the amendments.

Representatives Nelson (D), Monohon and Scott spoke in favor of the motion to concur, and Representative Williams spoke against it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Nelson (D) spoke again in favor of the motion, and Mr. Vander Stoep spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1217, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Barr, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, Greengo, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Granlund, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Erak, Winsley.

The Speaker (Mr. Amen presiding) stated that the House, by its action, had again refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1217, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 1, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 600, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

Marilyn Brachtenbach, Secretary.

REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 600 as amended by the Senate, making various changes in criminal laws, have had the same under consideration, and we report that we cannot agree and request powers of Free Conference in order to recommend that the Senate recede from its amendment and other language be adopted.

Signed by Senators Clarke, Hemstad, Talmadge; Representatives Ellis, Padden, Salatino.

MOTION

On motion of Mr. Ellis, the report of the Conference Committee on House Bill No. 600 was adopted, and the committee was granted the powers of Free Conference.

MOTION

On motion of Mr. Hastings, the House adjourned until 10:30 a.m., Tuesday, April 6, 1982.

VITO T. CHIECHI, Chief Clerk

WILLIAM M. POLK, Speaker

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 6, 1982.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bender, Houchen, Martinis, Rinehart and Salatino. Representatives Bender and Martinis were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andy Shogren and Doug Spear. Prayer was offered by The Reverend Frank L. Accardy of the Emmanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 5, 1982

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 124,
HOUSE BILL NO. 829,
SUBSTITUTE HOUSE BILL NO. 1226,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 5, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 600, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 600 as amended by the Senate, making various changes in the criminal laws, have had the same under consideration, and we recommend that the Senate recede from its amendment and that the following language be adopted:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025 are each amended to read as follows:

Any person who shall commit or attempt to commit any felony, including but not limited to assault in the first degree, rape in the first degree, burglary in the first degree, robbery in the first degree, riot, or any other felony which includes as an element of the crime the fact that the accused was armed with a firearm, or any misdemeanor or gross misdemeanor categorized herein as inherently dangerous, while armed with, or in the possession of any firearm, shall upon conviction, in addition to the penalty provided by statute for the crime committed without use or possession of a firearm, be imprisoned as herein provided:

(1) For the first offense the court shall impose a sentence of not less than five years, which sentence shall not be suspended or deferred;

(2) For a second offense, or if, in the case of a first conviction of violation of any provision of this section, the offender shall previously have been convicted of violation of the laws of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than seven and one-half years, which sentence shall not be suspended or deferred;

(3) For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory, or district relating to the use or possession of a firearm while committing or attempting to commit a crime, the offender shall be imprisoned for not less than fifteen years, which sentence shall not be suspended or deferred;

(4) Misdemeanors or gross misdemeanors categorized as 'inherently dangerous' as the term is used in this statute means any of the following crimes or an attempt to commit any of the same: Simple assault,

coercion, vehicle prowling, escape in the third degree, obstructing a public servant, theft in the third degree, resisting arrest, and communication with a minor for immoral purposes.

(5) If any person shall resist apprehension or arrest by firing upon a law enforcement officer, such person shall in addition to the penalty provided by statute for resisting arrest, be guilty of a felony and punished by imprisonment for not less than ten years, which sentence shall not be suspended or deferred.

Sec. 2. Section 1, chapter 64, Laws of 1933 and RCW 9.41.190 are each amended to read as follows:

~~((That))~~ It ~~((shall be))~~ is unlawful for any person to manufacture, own, buy, sell, loan, furnish, transport, or have in possession~~((;))~~ or under control, any machine gun, or any part thereof capable of use or assembling or repairing any machine gun: PROVIDED, HOWEVER, That such limitation shall not apply to any peace officer in the discharge of official duty, or to any officer or member of the armed forces of the United States or the state of Washington: PROVIDED FURTHER, That this section does not apply to a person, including an employee of such person, who or which is exempt from or licensed under the National Firearms Act (26 U.S.C. section 5801 et seq.), and engaged in the production, manufacture, or testing of weapons or equipment to be used or purchased by the armed forces of the United States, and having a United States government industrial security clearance.

Sec. 3. Section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050 are each amended to read as follows:

~~((No person shall carry a pistol in any vehicle unless it is unloaded or carry a pistol concealed on his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided))~~ (1) Except in the person's place of abode or fixed place of business, a person shall not carry a pistol concealed on his or her person without a license to carry a concealed weapon.

(2) A person who is in possession of an unloaded pistol shall not leave the unloaded pistol in a vehicle unless the unloaded pistol is locked within the vehicle and concealed from view from outside the vehicle.

(3) A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed weapon and: (a) The pistol is on the licensee's person, (b) the licensee is within the vehicle at all times that the pistol is there, or (c) the licensee is away from the vehicle and the pistol is locked within the vehicle and concealed from view from outside the vehicle.

NEW SECTION. Sec. 4. There is added to chapter 9.41 RCW a new section to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

- (a) Any firearm; or
- (b) Any dangerous weapon as defined in RCW 9.41.250; or
- (c) Any device commonly known as 'nun-chu-ka sticks', consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or
- (d) Any device, commonly known as 'throwing stars', which are multi-pointed, metal objects designed to embed upon impact from any aspect.

(2) Any such student violating subsection (1) of this section is guilty of a gross misdemeanor.

(3) Subsection (1) of this section does not apply to:

- (a) Any student of a private military academy; or
- (b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or
- (c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or
- (d) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises.

Sec. 5. Section 13, chapter 249, Laws of 1909 and RCW 9.92.010 are each amended to read as follows:

Every person convicted of a felony for which no punishment is specially prescribed by any statutory provision in force at the time of conviction and sentence, shall be punished by ~~((imprisonment in the state penitentiary for not more than))~~ confinement or fine which shall not exceed confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of not more than ((five)) twenty thousand dollars, or by both such confinement and fine.

Sec. 6. Section 15, chapter 249, Laws of 1909 and RCW 9.92.020 are each amended to read as follows:

Every person convicted of a gross misdemeanor for which no punishment is prescribed in any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than one year, or by a fine in an amount fixed by the court of not more than ((one)) five thousand dollars, or by both such imprisonment and fine.

Sec. 7. Section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030 are each amended to read as follows:

Every person convicted of a misdemeanor for which no punishment is prescribed by any statute in force at the time of conviction and sentence, shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than ((two hundred and fifty)) one thousand dollars or both such imprisonment and fine.

Sec. 8. Section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060 are each amended to read as follows:

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the

charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: PROVIDED, That as a condition to suspension of sentence, the court shall require the payment of the penalty assessment required by RCW 7.68.035: PROVIDED FURTHER, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (and) (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund. In no case shall a sentence be suspended under the provisions of this section unless the person if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced: PROVIDED, That persons convicted in justice court may be placed under supervision of a probation officer employed for that purpose by the board of county commissioners of the county wherein the court is located. If restitution to the victim has been ordered under subsection (2) of this section, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made as ordered. If restitution has not been made, the officer shall inform the prosecutor of that violation of the terms of the suspended sentence not less than three months prior to the termination of the suspended sentence.

Sec. 9. Section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064 are each amended to read as follows:

In the case of a person granted a suspended sentence under the provisions of RCW 9.92.060, the court shall establish a definite termination date for the suspended sentence. The court shall set a date no later than the time the original sentence would have elapsed and may provide for an earlier termination of the suspended sentence. Prior to the entry of an order formally terminating a suspended sentence the court may modify the terms and conditions of the suspension or extend the period of the suspended sentence.

Sec. 10. Section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine the defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. As a condition of probation, the court shall require the payment of the penalty assessment required by RCW 7.68.035. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and (4) to contribute to a county or interlocal drug fund, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the secretary of corrections or such officer as the secretary may designate and as a condition of said probation to follow implicitly the instructions of the secretary. If the probationer has been ordered to make restitution, the officer supervising the probationer shall make a reasonable effort to ascertain whether restitution has been made. If restitution has not been made as ordered, the officer shall inform the prosecutor of that violation of the terms of probation not less than three months prior to the termination of the probation period. The secretary of corrections will promulgate rules and regulations for the conduct of such person during the term of his probation: PROVIDED, That for defendants found guilty in justice court, like functions as the secretary performs in regard to probation may be performed by probation officers employed for that purpose by the ~~(board of)~~ county ~~(commissioners)~~ legislative authority of the county wherein the court is located.

Sec. 11. Section 6, chapter 227, Laws of 1957 and RCW 9.95.230 are each amended to read as follows:

The court shall have authority at any time ~~(during the course of)~~ prior to the entry of an order terminating probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

Sec. 12. Section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030 are each amended to read as follows:

(1) If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof or when the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement, the court, in lieu of

imposing the fine authorized for the offense under RCW 9A.20.020, may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the commission of a crime. Such amount may be used to provide restitution to the victim at the order of the court. It shall be the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court shall make a finding as to the amount of the defendant's gain or victim's loss from the crime, and if the record does not contain sufficient evidence to support such finding the court may conduct a hearing upon the issue. For purposes of this section, the terms 'gain' or 'loss' refer to the amount of money or the value of property or services gained or lost.

(2) Notwithstanding any other provision of law, this section also applies to any corporation or joint stock association found guilty of any crime.

NEW SECTION. Sec. 13. There is added to chapter 9A.52 RCW a new section to read as follows:

(1) A person is guilty of vehicle prowling in the first degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a motor home, as defined in RCW 46.04.305, or in a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the first degree is a class C felony.

Sec. 14. Section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Vehicle prowling in the second degree is a gross misdemeanor.

Sec. 15. Section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he commits theft of:

(a) Property or services which exceed(s) two hundred and fifty dollars in value, but does not exceed one thousand five hundred dollars in value; or

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant; or

(c) A credit card; or

(d) A motor vehicle, of a value less than one thousand five hundred dollars; or

(e) A firearm, of a value less than one thousand five hundred dollars.

(2) Theft in the second degree is a class C felony.

Sec. 16. Section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090 are each amended to read as follows:

(1) A person is guilty of bribing a witness if he offers, confers, or agrees to confer any benefit upon a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or upon a person whom he has reason to believe may have information relevant to a criminal investigation, with intent to:

(a) Influence the testimony of that person; or

(b) Induce that person to avoid legal process summoning him to testify; or

(c) Induce that person to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribing a witness is a class B felony.

Sec. 17. Section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100 are each amended to read as follows:

(1) A witness or a person who has reason to believe he is about to be called as a witness in any official proceeding or that he may have information relevant to a criminal investigation is guilty of bribe receiving by a witness if he requests, accepts, or agrees to accept any benefit pursuant to an agreement or understanding that:

(a) His testimony will thereby be influenced; or

(b) He will attempt to avoid legal process summoning him to testify; or

(c) He will attempt to absent himself from an official proceeding to which he has been legally summoned.

(2) Bribe receiving by a witness is a class B felony.

Sec. 18. Section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110 are each amended to read as follows:

(1) A person is guilty of intimidating a witness if, by use of a threat directed to a witness or a person he has reason to believe is about to be called as a witness in any official proceeding or to a person whom he has reason to believe may have information relevant to a criminal investigation, he attempts to:

(a) Influence the testimony of that person; or

(b) Induce that person to elude legal process summoning him to testify; or

(c) Induce that person to absent himself from such proceedings.

(2) 'Threat' as used in this section means

(a) to communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(b) threats as defined in RCW 9A.04.110(25).

(3) Intimidating a witness is a class B felony.

Sec. 19. Section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120 are each amended to read as follows:

(1) A person is guilty of tampering with a witness if he attempts to induce a witness or person he has reason to believe is about to be called as a witness in any official proceeding or a person whom he has reason to believe may have information relevant to a criminal investigation to:

(a) Testify falsely or, without right or privilege to do so, to withhold any testimony; or

(b) Absent himself from such proceedings.

(2) Tampering with a witness is a class C felony.

Sec. 20. Section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person 'renders criminal assistance' if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he:

(1) Harbors or conceals such person; or

(2) Warns such person of impending discovery or apprehension; or

(3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or

(5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or

(6) Provides such person with a weapon.

Sec. 21. Section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the first degree if he renders criminal assistance to a person who has committed or is being sought for murder in the first degree or any class A felony or equivalent juvenile offense.

(2) Rendering criminal assistance in the first degree is:

(a) A gross misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A class C felony in all other cases.

Sec. 22. Section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080 are each amended to read as follows:

(1) A person is guilty of rendering criminal assistance in the second degree if he renders criminal assistance to a person who has committed or is being sought for a class B or class C felony or an equivalent juvenile offense or to someone being sought for violation of parole, probation, or community supervision.

(2) Rendering criminal assistance in the second degree is:

(a) A misdemeanor if it is established by a preponderance of the evidence that the actor is a relative as defined in RCW 9A.76.060;

(b) A gross misdemeanor in all other cases.

Sec. 23. Section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110 are each amended to read as follows:

(1) A person is guilty of escape in the first degree if, being detained pursuant to a conviction of a felony or an equivalent juvenile offense, he escapes from custody or a detention facility.

(2) Escape in the first degree is a class B felony.

Sec. 24. Section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120 are each amended to read as follows:

(1) A person is guilty of escape in the second degree if:

(a) He escapes from a detention facility; or

(b) Having been charged with a felony or an equivalent juvenile offense, he escapes from custody.

(2) Escape in the second degree is a class C felony.

Sec. 25. Section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024 are each amended to read as follows:

Any driver of a motor vehicle who wilfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton ((and)) or wilful disregard for the lives or property of others while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop, shall be guilty of a class C felony. The signal given by the police officer may be by hand, voice, emergency light, or siren. The officer giving such a signal shall be in uniform and his vehicle shall be appropriately marked showing it to be an official police vehicle.

Sec. 26. Section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010 are each amended to read as follows:

Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program. A person charged with a traffic infraction, misdemeanor, or gross misdemeanor under Title 46 RCW shall not be eligible for a

deferred prosecution program unless the court makes specific findings pursuant to RCW 10.05.020. Such person shall not be eligible for a deferred prosecution program more than once in any five-year period.

Sec. 27. Section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515 are each amended to read as follows:

(1) Every person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished by imprisonment for not less than ~~((one day))~~ twenty-four consecutive hours nor more than one year, and by a fine of not more than five hundred dollars. The person shall, in addition, be required to complete a course at an alcohol information school approved by the department of social and health services. ~~((One day))~~ If, after completing an alcohol evaluation at the alcohol information school, the convicted person is found to have a serious alcohol problem, the alcohol information school may recommend more intensive alcoholism treatment in a program approved by the department of social and health services. In the alternative, the court may bypass alcohol information school if the court determines that more intensive alcoholism treatment in a program approved by the department of social and health services is appropriate. Standards for approval shall be prescribed by rule under the administrative procedure act, chapter 34.04 RCW. The courts shall periodically review the costs of alcohol information schools and treatment programs within their jurisdictions. Twenty-four consecutive hours of the jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. The court may impose conditions of probation that may include nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate.

(2) On a second or subsequent conviction ~~((under RCW 46.61.502 or 46.61.504))~~ for driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs within a five year period a person shall be punished by imprisonment for not less than seven days nor more than one year and by a fine not more than one thousand dollars. The jail sentence shall not be suspended or deferred unless the judge finds that the imposition of the jail sentence will pose a risk to the defendant's physical or mental well-being. Whenever the mandatory jail sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended or deferred. The person shall, in addition, be required to complete diagnostic evaluation at an alcoholism program approved by the department of social and health services or other diagnostic evaluation as the court designates. If the person is found to have an alcohol or drug problem requiring treatment, the person shall complete treatment at an approved alcoholism treatment facility or approved drug treatment center.

In addition to any nonsuspendable and nondeferable jail sentence required by this subsection, the court shall sentence a person to a term of imprisonment not exceeding one hundred eighty days and shall suspend but shall not defer the sentence for a period not exceeding two years. The suspension of the sentence may be conditioned upon nonrepetition, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of suspension during the suspension period.

(3) There shall be levied and paid into the highway safety fund of the state treasury a penalty assessment in the minimum amount of twenty-five percent of, and which shall be in addition to, any fine, bail forfeiture, or costs on all offenses involving a violation of any state statute or city or county ordinance relating to driving a motor vehicle while under the influence of intoxicating liquor or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor: PROVIDED, That all funds derived from such penalty assessment shall be in addition to and exclusive of assessments made under RCW 46.81.030 and shall be for the exclusive use of the department for driver services programs and for a state-wide alcohol safety action program, or other similar programs designed primarily for the rehabilitation or control of traffic offenders. Such penalty assessment shall be included in any bail schedule and shall be included by the court in any pronouncement of sentence.

(4) Notwithstanding the provisions contained in chapters 3.16, 3.46, 3.50, 3.62, or 35.20 RCW, or any other section of law, the penalty assessment provided for in subsection (3) of this section shall not be suspended, waived, modified, or deferred in any respect, and all moneys derived from such penalty assessments shall be forwarded to the highway safety fund to be used exclusively for the purposes set forth in subsection (3) of this section.

(5) The license or permit to drive or any nonresident privilege of any person convicted of ~~((either of the offenses named in RCW 46.61.502 or 46.61.504))~~ driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs shall:

(a) On the first conviction under either such offense, be suspended by the department for not less than thirty days: PROVIDED, That the court may recommend that no suspension action be taken. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days. The treatment agency shall forward a copy of the completed diagnostic evaluation and treatment report to the department of licensing before the department may reinstate the person's driver's license. The department of licensing shall determine the person's eligibility for licensing based upon these reports as provided in RCW 46.20.031 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(6) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

~~((7) The provisions of this section limiting the authority of a court to defer or suspend a sentence shall not take effect until January 1, 1980. The division of criminal justice, no later than December 31, 1980, shall submit a study to the house of representatives and to the senate which details the impact of the sentencing provisions established by this section. The impact study shall include, but shall not be limited to, the following information: The impact of the provisions upon county jail conditions and bed space, the cost impact of the provisions upon local and state governments, and the existence of alternative facilities to which individuals sentenced under this section may be committed.))~~

NEW SECTION. Sec. 28. Section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010 are each repealed.

Sec. 29. Section 9, chapter 8, Laws of 1982 1st ex. sess. (unmodified) is amended to read as follows:

~~((This act)) Chapter 8, Laws of 1982 1st ex. sess.~~ is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 2 ~~((through)), 3, and 6 of ((this act)) chapter 8, Laws of 1982 1st ex. sess.~~ shall take effect on January 1, 1983.

Sec. 30. Section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than negligent homicide, may petition the court for a stay of the effect of the mandatory suspension or revocation for the purpose of submitting to the department an application for an occupational driver's license. Any person who is convicted or pleads guilty to a charge under RCW 46.61.502 and whose license has been revoked under RCW 46.20.308 may petition the court to stay the effect of the revocation for the purpose of submitting to the department an application for an occupational driver's license. The court upon determining the petitioner is engaged in an occupation or trade which makes it essential that the petitioner operate a motor vehicle may stay the effect of the mandatory suspension or revocation, notwithstanding RCW 46.20.270, for a period of not more than thirty days and may set definite restrictions as to hours of the day which may not exceed twelve hours in any one day, days of the week, type of occupation, and areas or routes of travel permitted under the occupational driver's license.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) The applicant is engaged in an occupation or trade which makes it essential that he or she operate a motor vehicle; and

(c) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The department, upon receipt of an application and the prescribed fee, may issue an occupational driver's license to any person eligible under this section for a period of not more than one year which permits the operation of a motor vehicle only within the limits established by the court and only when the operation is essential to the licensee's occupation or trade.

(4) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense which pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. Such cancellation shall be effective as of the date of such conviction, and shall continue with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 31. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 32. Sections 29 and 30 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title, after "crimes;" strike the remainder of the title, and insert "amending section 1, chapter 175, Laws of 1969 ex. sess. as amended by section 1, chapter 258, Laws of 1981 and RCW 9.41.025; adding a new section to chapter 9.41 RCW; amending section 1, chapter 64, Laws of 1933 and RCW 9.41.190; amending section 5, chapter 172, Laws of 1935 as amended by section 4, chapter 124, Laws of 1961 and RCW 9.41.050; amending section 13, chapter 249, Laws of 1909 and RCW 9.92.010; amending section

15, chapter 249, Laws of 1909 and RCW 9.92.020; amending section 785, Code of 1881 as amended by section 14, chapter 249, Laws of 1909 and RCW 9.92.030; amending section 1, chapter 24, Laws of 1905 as last amended by section 4, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.92.060; amending section 2, chapter 188, Laws of 1971 ex. sess. and RCW 9.92.064; amending section 1, chapter 19, Laws of 1980 as last amended by section 5, chapter 8, Laws of 1982 1st ex. sess. and RCW 9.95.210; amending section 6, chapter 227, Laws of 1957 and RCW 9.95.230; amending section 9A.20.030, chapter 260, Laws of 1975 1st ex. sess. as amended by section 3, chapter 29, Laws of 1979 and RCW 9A.20.030; amending section 9A.52.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.100; amending section 9A.56.040, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.040; amending section 9A.72.090, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.090; amending section 9A.72.100, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.100; amending section 9A.72.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.110; amending section 9A.72.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.72.120; amending section 9A.76.050, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.050; amending section 9A.76.070, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.070; amending section 9A.76.080, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.080; amending section 9A.76.110, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.110; amending section 9A.76.120, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.76.120; amending section 1, chapter 244, Laws of 1975 1st ex. sess. and RCW 10.05.010; amending section 1, chapter 5, Laws of 1973 as amended by section 13, chapter 61, Laws of 1979 and RCW 46.20.391; amending section 1, chapter 75, Laws of 1979 ex. sess. and RCW 46.61.024; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 6, chapter 176, Laws of 1979 ex. sess. and RCW 46.61.515; amending section 9, chapter 8, Laws of 1982 1st ex. sess. (uncodified); adding a new section to chapter 9A.52 RCW; repealing section 777, Code of 1881, section 63, chapter 249, Laws of 1909 and RCW 10.43.010; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Senators Clarke, Hemstad, Talmadge; Representatives Ellis, Padden, Salatino.

MOTION

On motion of Mr. Ellis, the report of the Free Conference Committee on House Bill No. 600 was adopted.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Bill No. 600 as amended by the Free Conference Committee.

Representatives Ellis, Stratton and Armstrong spoke in favor of passage of the bill, and Mr. Chandler spoke against it.

Mr. Ellis spoke again in favor of the bill.

POINT OF INQUIRY

Mr. Ellis yielded to question by Mr. Wang.

Mr. Wang: "Representative Ellis, in section 14 of the bill, on page 14, lines 24 through 27, would you agree with my interpretation that parallel with section 3, it should be read as in a vehicle other than a motorhome or other than a vessel equipped for propulsion? This is a question of interpretation of the modification of the words we talked about some weeks back."

Mr. Ellis: "Ask your question one more time."

Mr. Wang: "Would not the vehicle be a vehicle other than a motorhome or other than a vessel?"

Mr. Ellis: "Yes, that's a correct interpretation."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 600 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 85; nays, 2; not voting, 11.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Chandler, Teutsch.

Not voting: Representatives Bender, Brown, Eng, Gallagher, Houchen, Martinis, Maxie, Rinehart, Salatino, Warnke, Winsley.

House Bill No. 600 as amended by Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be at ease until 3:00 p.m.
The Speaker called the House to order at 3:00 p.m.

MESSAGE FROM THE SENATE

April 6, 1982

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 784,
SENATE BILL NO. 4640,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 600,
SENATE BILL NO. 4640.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Wednesday, April 7, 1982.

WILLIAM M. POLK, Speaker

PATRICIA M. WILLIAMS, Acting Chief Clerk

Certified by Patricia M. Williams,
Elected Chief Clerk April 7, 1982.

TWENTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 7, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Cole, Eng and Fiske, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Terry Cooper and Steven Princehouse. Prayer was offered by The Reverend Frank Accardy, Minister of the Emanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 6, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 4603, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 6, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 143, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

April 6, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Greengo, the House insisted on its position regarding Engrossed Substitute Senate Bill No. 3783, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Greengo, Amen and Eng as conferees on Engrossed Substitute Senate Bill No. 3783.

The Speaker declared the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, Fiske and Tupper, who were excused.

On motion of Mr. Hastings, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 799, by Committee on State Government (originally sponsored by Representatives Mitchell and Gruger):

Transferring the responsibilities of the state commission for the blind to the department of social and health services.

The bill was read the third time and placed on final passage.

Representatives Garson and Williams spoke in favor of passage of the bill, and Representatives Mitchell, Addison and O'Brien spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 799, and the bill failed to pass the House by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Becker, Bender, Bickham, Bond, Burns, Cantu, Chandler, Clayton, Dickie, Eberle, Ehlers, Fancher, Flanagan, Greengo, Grimm, Hastings, Hine, Houchen, Isaacson, James, Lewis, Lundquist, McDonald, Owen, Prince, Rinehart, Rust, Schmidt, Sherman, Sommers, Struthers, Thompson, Tilly, Van Dyken, Vander Stoep, Walk, Williams, and Mr. Speaker.

Voting nay: Representatives Addison, Barrett, Berleen, Brekke, Brown, Chamberlain, Dawson, Ellis, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Hankins, Heck, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Pruitt, Rosbach, Salatino, Sanders, Scott, Smith, Sprague, Stratton, Taylor, Teutsch, Valle, Wang, Warnke, Wilson, Winsley.

Not voting: Representatives Barr, Cole, Eng, Fiske, Tupper.

Engrossed Substitute House Bill No. 799, having failed to receive the constitutional majority, was declared lost.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-178, by Representative Nelson (G):

WHEREAS, The acceptance of an appointment to serve as director of the Region X offices of the General Services Administration by Vito T. Chiechi leaves vacant the office of Chief Clerk; and

WHEREAS, Article II, Section 10 of our State Constitution requires that the officers of the House be elected;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That Patricia M. Williams, Assistant to the Chief Clerk, is hereby elected as temporary Chief Clerk of the House and is hereby empowered and authorized to carry out the powers and duties of the office of Chief Clerk from midnight on April 5, 1982 until such time as a Chief Clerk of the House is elected and qualified.

Mr. Nelson (G) moved adoption of the resolution.

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, Rule 3 states that if any office becomes vacant the vote shall be by a constitutional majority of the house and '...the members shall vote viva voce and their vote shall be entered upon the journal.' I would submit to you that if Patricia Williams is going to become the Chief Clerk, she should be elected by a voice vote."

The Speaker: "Representative O'Brien, are you asking for an oral roll call?"

Mr. O'Brien: "Yes."

Representatives Heck and Erak spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on adoption of House Resolution No. 82-178, and the resolution was adopted by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Eng, Fiske, Sprague, Tupper.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, by Committee on Ways and Means (originally sponsored by Senator Scott):

Modifying provisions relating to vacation leave for public employees.

The bill was read the second time.

Committee on Appropriations - General Government recommendation: Majority, do pass with the following amendments:

On page 2, line 27 insert the following:

NEW SECTION. Sec. 3. Section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041 are each repealed.

Renumber the remaining sections consecutively.

On page 1, line 5 of the title after "section;" insert "repealing section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041;"

Mr. Williams moved adoption of the committee amendments.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Scott spoke against adoption of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the committee amendments to Engrossed Substitute Senate Bill No. 5007, and the amendments were not adopted by the following vote: Yeas, 46; nays, 50; not voting, 2.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinchart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Eng, Fiske.

MOTION

On motion of Mr. Hastings, further consideration of Engrossed Substitute Senate Bill No. 5007 was deferred.

MESSAGE FROM THE SENATE

April 6, 1982

Mr. Speaker:

The Senate insists on its position regarding the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Williams, the House again insisted on its position regarding the Senate amendments to Engrossed Substitute House Bill No. 1217, and again asked the Senate to recede therefrom.

MOTION

Mr. Heck moved that the Clerk be instructed to read the message from the Senate regarding House Bill No. 796.

MOTION

On motion of Mr. Nelson (G), the House recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Eng, Hine, Owen and Teutsch. Representative Eng was excused.

Mr. Heck moved that the Clerk be instructed to read the message from the Senate regarding House Bill No. 796.

Mr. Heck spoke in favor of the motion.

Mr. Ehlers demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the Clerk be instructed to read the Senate message regarding House Bill No. 796, and the motion was lost by the following vote: Yeas, 41; nays, 46; not voting, 11.

Voting yea: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Hankins, Heck, Isaacson, Kaiser, King J., Leonard, Lundquist, Lux, Martinis, McCormick, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Garson, Greengo, Hastings, Houchen, James, Johnson, Lewis, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Eng, Fiske, Hine, King R., Kroidler, Maxie, Owen, Rinehart, Teutsch, Van Dyken.

The Speaker called on Mr. Amen to preside.

The House resumed consideration of ENGROSSED SUBSTITUTE SENATE BILL NO. 5007.

Mr. Thompson moved adoption of the following amendment:

On page 1, line 10 after "state" insert "except those subdivisions not participating in the public employment retirement systems"

Representatives Thompson and Patrick spoke in favor of the amendment, and Mr. Williams spoke against it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Williams, I don't understand, and I've been a supporter of pension reform myself and have had the opportunity to vote for that, and I am also concerned about the state system and the local system. I missed your point on why you believe that the state should interfere with what is a local system. As a believer in local control, why should we do this?"

Mr. Williams: "The founding fathers of the state of Washington vested the powers of local government to the state legislature, and the local governments have those powers expressly delegated to them by the state. One of the major issues in the state at the present time in cities, counties, PUD's, is the fact of stability. One of the things happening across the state is that elected officials and elected city councils are passing off benefits and not telling the voters what the costs will be. They are not computing the actuarial values; they are not fully funding the pension systems. Then they are coming before the legislature and saying that they are poor and they need additional taxes. We're finding this, not only in our state pension systems, but also, as you will see in later amendments, we're finding out where small agencies in the state are passing off pension benefits and hoping the state will pick up the tab. I'm sure you're familiar with the 1970-71 time frame when the state of Washington inherited the State

Law Enforcement and Firefighters' Retirement System, and with that we inherited a mammoth debt. The same thing could happen to Tacoma's system, the Seattle system, et cetera."

Representatives Ehlers and Armstrong spoke in favor of the amendment, and Mr. Greengo spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thompson to page 1, line 10 of Engrossed Substitute Senate Bill No. 5007, and the amendment was adopted by the following vote: Yeas, 52; nays, 38; not voting, 8.

Voting yea: Representatives Addison, Armstrong, Barrett, Bender, Berleen, Brekke, Brown, Burns, Chamberlain, Cole, Dawson, Ehlers, Ellis, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Amen, Barnes, Barr, Bickham, Bond, Cantu, Chandler, Clayton, Dickie, Eberle, Fancher, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Eng, Fiske, Hine, King R., Owen, Rinehart, Teutsch.

The Clerk read the following amendments by Representative Thompson:

On page 1, line 10 after "employee" insert "employed after July 1, 1982"

On page 2, line 25 after "employee" insert "employed after July 1, 1982"

With the consent of the House, Mr. Thompson withdrew the amendments.

Mr. Thompson moved adoption of the following amendments by Representatives Thompson, Garson and Kreidler:

On page 1, line 11 after "leave" insert "in excess of 30 days"

On page 2, line 26 after "leave" insert "in excess of 30 days"

Representatives Thompson, Kreidler and Patrick spoke in favor of the amendments, and Representatives Williams, Dickie and McGinnis spoke against them.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Garson spoke in favor of the amendments, and Representatives Greengo and Nickell spoke against them.

Mr. Thompson spoke again in favor of the amendments, and Representatives Tilly and Barnes spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Thompson and others to Engrossed Substitute Senate Bill No. 5007, and the amendments were not adopted by the following vote: Yeas, 39; nays, 51; not voting, 8.

Voting yea: Representatives Barr, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Hankins, Kaiser, Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, O'Brien, Patrick, Pruitt, Rinehart, Rosbach, Rust, Scott, Sherman, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Winsley.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Galloway, Greengo, Hastings, Houchen, Isaacson, James, Johnson, King J., Lundquist, McDonald, McGinnis, Nelson D., Nelson G. A., Nickell, Nisbet, North, Padden, Prince, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Eng, Fiske, Heck, Hine, King R., Owen, Teutsch.

The Clerk read the following amendment by Representative Thompson:

On page 1, line 12 after "contracts" strike "may" and insert "of employment shall"

With the consent of the House, Mr. Thompson withdrew the amendment.

On motion of Mr. Patrick, the following amendment by Representatives Patrick and Williams was adopted:

On page 1, line 14 after "leave" insert ": PROVIDED FURTHER, That this section shall not apply to any employee covered by chapter 41.26 RCW"

Mr. Scott moved adoption of the following amendment by Representatives Scott and Erak:

On page 2, following line 27 insert the following:

NEW SECTION. Sec. 3. This 1982 amendatory act shall not apply to employees hired prior to July 1, 1982.*

Renumber the remaining sections consecutively.

Mr. Scott spoke in favor of the amendment, and Mr. Williams spoke against it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Barnes spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Scott and Erak to page 2 of Engrossed Substitute Senate Bill No. 5007, and the amendment was not adopted by the following vote: Yeas, 16; nays, 72; not voting, 10.

Voting yea: Representatives Erak, Gallagher, Garrett, Garson, Granlund, Hankins, Kaiser, Kreidler, Lewis, Lux, Martinis, Mitchell, Monohon, O'Brien, Scott, Walk.

Voting nay: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Flanagan, Galloway, Greengo, Hastings, Heck, Houchen, Isaacson, James, Johnson, King J., Leonard, Lundquist, Maxie, McCormick, McDonald, McGinnis, Nelson D., Nelson G. A., Nickell, Nisbet, North, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Becker, Bender, Eng, Fiske, Grimm, Hine, King R., Owen, Teutsch, Wang.

On motion of Mr. Williams, the following amendment was adopted:

On page 2, following line 27 insert the following:

*Sec. 3. Section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041 are each amended to read as follows:

Officers and employees referred to in RCW 43.01.040 whose employment is terminated by their death (~~(reduction in force, resignation, dismissal, or by retirement)~~) and who have accrued vacation leave as specified in RCW 43.01.040, shall ~~((be))~~ have such accrued vacation leave paid ~~((therefore under their contract of employment, or))~~ to their estate ~~((if they are deceased, or if the employee in case of voluntary resignation has provided adequate notice of termination)).~~"

Mr. Taylor moved adoption of the following amendment by Representatives Taylor and McDonald:

On page 2, after line 27 insert the following:

NEW SECTION. Sec. 3. It is the intent of this chapter to provide an incentive for state personnel to effect a savings in the operation of state government by curtailing the practice of expending all appropriated funds when such expenditures are unnecessary for the operation of the agency. To end this wasteful practice, the legislature intends to provide for the payment of cash bonus awards to employees whose actions enable the agency to control spending during the last quarter of each biennium and thereby revert part of its appropriation to the general fund.

NEW SECTION. Sec. 4. As used in this chapter, 'agency' means every department, board, commission, and agency of the executive branch of state government to which funds are appropriated by the legislature.

NEW SECTION. Sec. 5. By October 1 of each even-numbered year, each agency shall have adopted a program to prevent disproportionate spending during the last quarter of the biennium. The agency shall provide the director of financial management with a copy of its program. The director of financial management shall compile such programs and make them available for public inspection.

NEW SECTION. Sec. 6. Any executive head of an agency may apply for a bonus award under this chapter by submitting an application to the governor during the month of August next following the end of the biennium for which the award is sought. The application shall be on forms prescribed by the governor and shall include the amount of the savings and the employees for which the cash bonus is being requested.

NEW SECTION. Sec. 7. The governor shall pay a bonus, from funds appropriated therefor, to each agency from which funds were reverted to the general fund for the previous biennium if the executive head of the agency can establish, to the governor's satisfaction, that the agency did revert the funds due to its efforts to implement its program adopted under section 5 of this act.

The governor shall prescribe the amount of the bonus and, in consultation with the executive agency head, the distribution to those employees who made the key decisions which resulted in the savings. The total amount of the bonus shall not exceed ten percent of the funds which reverted to the general fund from the agency for the biennium or twenty-five thousand dollars, whichever is less. The funds shall not be distributed to more than fifteen employees or ten percent of the agency's average number of full time equivalent employees during the last fiscal year, whichever is less. No employee may receive more than two thousand five hundred dollars.

NEW SECTION. Sec. 8. Any bonus award received under this chapter shall not be considered as salaries or wages for the purpose of computing any pension or retirement allowance.

NEW SECTION. Sec. 9. This chapter shall expire June 30, 1985.

NEW SECTION. Sec. 10. There is added to chapter 43.88 RCW a new section to read as follows:

By October 1 of each even-numbered year, the director of financial management shall have prepared and provided the president of the senate and speaker of the house of representatives with a report showing graphically for each agency the extent to which spending, for purposes other than salary and fringe benefits, varied between the quarters of the fiscal years in the preceding biennium. For those agencies whose spending for such purposes during the last quarter shown was ten percent or more greater than during any other quarter shown, the director shall provide his opinion on whether there exists sufficient justification for the disproportionate spending.

NEW SECTION. Sec. 11. Sections 3 through 9 of this act shall constitute a new chapter in Title 41 RCW."

Renumber the sections consecutively.

POINT OF ORDER

Mr. Scott: "I challenge this amendment on scope and object, Mr. Speaker."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Scott, the act relates to compensation, Title 43.04, and this amendment is in the same section. It pertains directly to pensions. The Speaker would rule that it is within the scope and object."

Mr. Taylor spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Scott.

Mr. Scott: "Representative Taylor, how many days of accrued vacation do you get under this program?"

Mr. Taylor: "Representative Scott, I think you've already had your ruling. If you're looking for another one from me, obviously you are not going to get it."

Mr. Scott spoke against the amendment.

Mr. Nelson (G) moved adoption of the following amendment to the Taylor amendment: Strike New Section 4 from the amendment.

Representatives Taylor and Thompson spoke against the amendment to the amendment, and Mr. Flanagan spoke in favor of it.

With the consent of the House, Mr. Nelson (G) withdrew the amendment to the amendment.

Mr. Nelson (G) moved adoption of the following amendment to the Taylor amendment: In sections 3, 4, 6, 8 and 9, strike "of this chapter" and insert "sections 3 through 10 of this chapter"

MOTION

Mr. Ehlers moved that Engrossed Substitute Senate Bill No. 5007 be rereferred to Select Committee on Deregulation and Productivity.

Representatives Ehlers and Heck spoke in favor of the motion, and Mr. Williams spoke against it.

Mr. Ehlers spoke again in favor of the motion, and Mr. Nelson (G) spoke against it.

Mr. Erak spoke in favor of the motion.

Mr. Hastings demanded an electric roll call vote on the motion, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that Engrossed Substitute Senate Bill No. 5007 be rereferred to Select Committee on Deregulation and Productivity, and the motion was lost by the following vote: Yeas, 40; nays, 52; not voting, 6.

Voting yea: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kroidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Galloway, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Eng, Fiske, King R., Owen, Teutsch.

The amendment to the amendment was adopted.

The Speaker (Mr. Amen presiding) stated the question before the House to be the amendment by Representatives Taylor and McDonald as amended.

Mr. Nelson (D) spoke against the amendment.

POINT OF INQUIRY

Mr. Taylor yielded to question by Mr. Dawson.

Mr. Dawson: "Representative Taylor, Representative Nelson has expressed concern that only the top layers of management would benefit from any distribution of dollars in this program you are proposing. Would you clarify for the body, please, what your intent is?"

Mr. Taylor: "It would not have to be top management. It could be midlevel management. DSHS has many managers at various levels who could make key decisions in that direction."

Representatives McDonald, Van Dyken and Taylor spoke in favor of the amendment as amended, and Representatives Lux and Ehlers spoke against it.

POINT OF INQUIRY

Mr. Taylor yielded to question by Ms. Granlund.

Ms. Granlund: "Representative Taylor, when one is awarded this money is that considered part of one's income with one's retirement?"

Mr. Taylor: "No, in section 8, it says, 'Any bonus award received under this chapter shall not be considered as salaries or wages for the purpose of computing any pension or retirement allowance.'"

The amendment as amended was adopted.

On motion of Mr. Williams, the following amendment was adopted:

On page 2, line 27 following "death" insert "PROVIDED, That agencies or departments of the state shall provide a method whereby all accumulated vacation leave may be taken as vacation leave"

Mr. Isaacson moved adoption of the following amendment:

On page 2, after line 30 insert the following:

"NEW SECTION, Sec. 4. There is added to chapter 41.59 RCW a new section to read as follows:

After the effective date of this act, an employer may not enter into a collective bargaining agreement with an employee organization covering a period in excess of a single school year. This limitation shall not affect collective bargaining agreements entered into prior to the effective date of this act."

Re-number the remaining sections consecutively.

POINT OF ORDER

Mr. Patrick: "Mr. Speaker, I would ask for a ruling on scope and object of this amendment."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Patrick, the bill addresses section 43.01.040, and the amendment, 41.59. The amendment addresses collective bargaining and your point is well taken. The amendment is out of order."

Mr. Thompson moved adoption of the following amendment:

On page 2, line 32 strike "1982" and insert "1983"

Representatives Thompson, Barr, Scott, O'Brien and Lewis spoke in favor of the amendment, and Representatives Williams, Greengo, Tilly, McGinnis and Bond spoke against it.

Mr. Hastings demanded an electric roll call vote on the amendment, and the demand was sustained.

Representatives Barnes and Williams opposed the amendment, and Mr. Kreidler spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thompson to page 2, line 32 of Engrossed Substitute Senate Bill No. 5007, and the amendment was not adopted by the following vote: Yeas, 41; nays, 51; not voting, 6.

Voting yea: Representatives Armstrong, Barr, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, North, O'Brien, Patrick, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke, Winsley.

Voting nay: Representatives Addison, Amen, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Galloway, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lundquist, McDonald, McGinnis, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Becker, Eng, Fiske, King R., Owen, Teutsch.

Ms. Granlund moved adoption of the following amendment:

On page 2, after line 32 add new sections as follows:

"Sec. 5. Section 5, chapter 151, Laws of 1972 ex. sess. as amended by section 8, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.185 are each amended to read as follows:

Upon retirement from service, as provided for in RCW 41.40.180 or 41.40.210, a member shall be eligible for a service retirement allowance computed on the basis of the law in effect at the time of retirement, together with such post-retirement pension increases as may from time to time be expressly authorized by the legislature. The service retirement allowance payable to members retiring on and after February 25, 1972 shall consist of:

(1) An annuity which shall be the actuarial equivalent of his additional contributions made pursuant to RCW 41.40.330(2).

(2) A membership service pension, subject to the provisions of subsection (4) of this section, which shall be equal to two percent of his average final compensation for each year or fraction of a year of membership service.

(3) A prior service pension which shall be equal to one-seventieth of his average final compensation for each year or fraction of a year of prior service not to exceed thirty years credited to his service accounts. In no event, except as provided in this 1972 amendatory act, shall any member receive a retirement allowance pursuant to subsections (2) and (3) of this section of more than sixty percent of his average final compensation: PROVIDED, That no member shall receive a pension under this section of less than nine hundred dollars per annum if such member has twelve or more years of service credit, or less than one thousand and two hundred dollars per annum if such member has sixteen or more years of service credit, or less than one thousand five hundred and sixty dollars per annum if such member has twenty or more years of service credit.

(4) Notwithstanding the provisions of subsections (1) through (3) of this section, the retirement allowance payable for service where a member was elected or appointed pursuant to Articles II or III of the Constitution of the state of Washington or RCW 48.02.010 and the implementing statutes shall be a combined pension and annuity. Said retirement allowance shall be equal to three percent of the average final compensation for each year of such service: PROVIDED, That average final compensation under this subsection applies to or includes only compensation earned during the member's period of service in positions established under Articles II or III of the state Constitution or RCW 48.02.010. Any member covered by this subsection who upon retirement has served ten or more years shall receive a retirement allowance of at least one thousand two hundred dollars per annum; such member who has served fifteen or more years shall receive a retirement allowance of at least one thousand eight hundred dollars per annum; and such member who has served twenty or more years shall receive a retirement allowance of at least two thousand four hundred dollars per annum: PROVIDED, That the initial retirement allowance of a member retiring only under the provisions of this subsection shall not exceed the average final compensation upon which the retirement allowance is based. The minimum benefits provided in this subsection shall apply to all retired members or to the surviving spouse of deceased members who were elected to the office of state senator or state representative.

(5) Upon making application for a service retirement allowance under RCW 41.40.180, a member who is eligible therefor shall make an election as to the manner in which such service retirement shall be paid from among the following designated options, calculated so as to be actuarially equivalent to each other:

(a) Standard Allowance. A member selecting this option shall receive a retirement allowance, which shall be computed as provided in subsections (1), (2) and (3) of this section. The retirement allowance shall be payable throughout his life. However, if he dies before the total of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, still living at the time of his death, then to his surviving spouse, or if there be neither such designated person or persons still living at the time of his death nor a surviving spouse, then to his legal representative.

(b) Option II. A member who selects this option shall receive a reduced retirement allowance which upon his death shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement.

(c) Option III. A member who selects this option shall receive a reduced retirement allowance and upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement.

Sec. 6. Section 20, chapter 274, Laws of 1947 as last amended by section 9, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.190 are each amended to read as follows:

In lieu of the retirement allowance provided in RCW 41.40.185, an individual employed on or before April 25, 1973 may, after complying with RCW 41.40.180 or 41.40.210, make an irrevocable election to receive the retirement allowance provided by this section which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(2) A basic service pension of one hundred dollars per annum; and

(3) A membership service pension, subject to the provisions of subdivision (4) of this section, which shall be equal to one one-hundredth of his average final compensation for each year or fraction of a year of membership service credited to his service account; and

(4) A prior service pension which shall be equal to one-seventieth of his average final compensation for each year or fraction of a year of prior service not to exceed thirty years credited to his service accounts. In no event shall any original member upon retirement at age seventy with ten or more years of service credit receive less than nine hundred dollars per annum as a retirement allowance, nor shall any member upon retirement at any age receive a retirement allowance of less than nine hundred dollars per annum if such member has twelve or more years of service credit, or less than one thousand and two hundred dollars per annum if such member has sixteen or more years of service credit, or less than one thousand five hundred and sixty dollars per annum if such member has twenty or more years of service credit. In the event that the retirement allowance as to such member provided by subdivisions (1), (2), (3), and (4) hereof shall amount to less than the aforesaid minimum retirement allowance, the basic service pension of the member shall be increased from one hundred dollars to a sum sufficient to make a retirement allowance of the applicable minimum amount.

(5) Notwithstanding the provisions of subsections (1) through (4) of this section, the retirement allowance payable for service where a member was elected or appointed pursuant to Articles II or III of the Constitution of the state of Washington or RCW 48.02.010 and the implementing statutes shall be a combined pension and annuity. Said retirement allowance shall be equal to three percent of the average final compensation for each year of such service; PROVIDED, That average final compensation under this subsection applies to or includes only compensation earned during the member's period of service in positions established under Articles II or III of the state Constitution or RCW 48.02.010. Any member covered by this subsection who upon retirement has served ten or more years shall receive a retirement allowance of at least one thousand two hundred dollars per annum; such member who has served fifteen or more years shall receive a retirement allowance of at least one thousand eight hundred dollars per annum; and such member who has served twenty or more years shall receive a retirement allowance of at least two thousand four hundred dollars per annum: PROVIDED, That the initial retirement allowance of a member retiring only under the provisions of this subsection shall not exceed the average final compensation upon which the retirement allowance is based. The minimum benefits provided in this subsection shall apply to all retired members or to the surviving spouse of deceased members who were elected under the provisions of Article II of the Washington state Constitution.

(6) Upon making application for a service retirement allowance under RCW 41.40.180, a member who is eligible therefor shall make an election as to the manner in which such service retirement shall be paid from among the following designated options, calculated so as to be actuarially equivalent to each other:

Option IA. A member electing this option shall receive a retirement allowance payable throughout his life only with termination at death, which shall be computed as provided for in subsections (1) through (4) or (5) of this section.

Option I. If he dies before the total of the annuity portions of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, still living at the time of his death, then to his surviving spouse, or if there be neither such designated person or persons still living at the time of his death nor a surviving spouse, then to his legal representative; or

Option II. Upon his death his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement. Unless payment shall be made under RCW 41.40.270, option II shall automatically be given effect as if selected for the benefit of the surviving spouse upon the death in service, or while on authorized leave of absence for a period not to exceed one hundred and twenty days from the date of payroll separation, of any member who is qualified for a service retirement allowance or has completed ten years of service at the time of death, except that if the member is not then qualified for a service retirement allowance, such option II benefit shall be based upon the actuarial equivalent of the sum necessary to pay the accrued regular retirement allowance commencing when the deceased member would have first qualified for a service retirement allowance; or

Option III. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement."

Remember the remaining sections consecutively.

POINT OF ORDER

Mr. Hastings: "Mr. Speaker, according to our Rule 14D, we cannot enter amendments that are a bill pending before the House. I think this looks suspiciously like a bill pending before the House."

SPEAKER'S RULING (MR. AMEN PRESIDING)

The Speaker (Mr. Amen presiding): "Representative Hastings, Rule 14D states in part, '...no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House.' This amendment is House Bill No. 986, which is now in the Rules Committee. Your point is well taken."

On motion of Mr. Williams, the following amendments to the title were adopted:

On page 1, line 4 of the title following "43.01.041;" insert "amending section 43.01.041, chapter 8, Laws of 1965 and RCW 43.01.041;"

On page 1, line 4 of the title after "43.01.040;" insert "adding a new chapter to Title 41 RCW; adding a new section to chapter 43.88 RCW;" and on line 5 after "section;" insert "providing an expiration date;"

MOTION

Mr. Hastings moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 5007 as amended by the House be placed on final passage.

Representatives Heck and Lux spoke against the motion, and Mr. Greengo spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules and advance Engrossed Substitute Senate Bill No. 5007 as amended by the House to final passage, and the motion failed to receive the required two-thirds majority by the following vote: Yeas, 42; nays, 50; not voting, 6.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Becker, Berleen, Eng, Fiske, Owen, Teutsch.

Engrossed Substitute Senate Bill No. 5007 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 12:00 noon, Thursday, April 8, 1982.

WILLIAM M. POLK, Speaker

PATRICIA M. WILLIAMS, Chief Clerk

TWENTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 8, 1982.

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, North and Rosbach. Representative Rosbach was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gregory Vik and Mich'l Prentice. Prayer was offered by The Reverend Frank L. Accardy, Minister of the Emmanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 7, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 600,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 8, 1982

Mr. Speaker:

The Senate has granted the request of the house for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, and the President has appointed the following conferees: Senators Craswell, Newhouse, Ridder.

Marilyn Brachtenbach, Secretary.

April 7, 1982

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 4603,

SUBSTITUTE SENATE JOINT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 4603,

SUBSTITUTE SENATE JOINT RESOLUTION NO. 143.

The Speaker declared the House recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Armstrong, Becker, Erak, North, Sherman and Walk.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5007 as amended by the House, by Committee on Ways and Means (originally sponsored by Senator Scott):

Modifying provisions relating to vacation leave for public employees.

The bill was read the third time and placed on final passage.

Representatives Williams, Barnes, Tilly, Dickie and Nickell spoke in favor of passage of the bill, and Representatives Kreidler, Garson and Scott spoke against it.

Mr. Kreidler again opposed the bill, and Mr. Williams spoke again in favor of it.

POINT OF PERSONAL PRIVILEGE

Mr. Kreidler: "Mr. Speaker, I believe my integrity has been challenged by a member of this body. As such, I request the ability to respond to that."

The Speaker: "Representative Kreidler, you may rise to a point of personal privilege on something that has affected you personally, but to respond merely to words spoken in debate is not a point of personal privilege."

POINT OF ORDER

Mr. Kreidler: "I've been impugned by the words of Representative Williams. Those words challenged my integrity as a member of this body. As such, I take great umbrage to those comments. There is a rule against impugning the motives of another member, and it has certainly been done in my case."

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Williams, last night you made the statement that there was a letter received from Senator Shipoch and Senator Bottiger regarding this bill. I requested a copy of that, but I haven't seen it at this time. Do you have a copy of that?"

Mr. Williams: "I will try to find a copy, Representative Ehlers. The staff brought over the letter with the amendment to Engrossed Senate Bill 4640. I have the amendment here, but I do not have the letter here. I'll find the letter."

Representatives Ehlers, Barnes, McGinnis and Granlund spoke in favor of the bill, and Representatives Scott and Lux spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5007 as amended by the House, and the bill passed the House by the following vote: Yeas, 72; nays, 18; not voting, 8.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Owen, Padden, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bickham, Brown, Gallagher, Garrett, Garson, Johnson, King R., Kreidler, Leonard, Lewis, Lux, Maxie, O'Brien, Patrick, Rosbach, Scott, Vander Stoep, Warnke.

Not voting: Representatives Armstrong, Becker, Bender, Eng, Erak, North, Sherman, Walk.

Engrossed Substitute Senate Bill No. 5007 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, authorizing the physical reevaluation of property every six years if statistical adjustments are made, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference in order to recommend that the House amendment not be adopted and a substitute amendment be adopted.

Signed by Senators Craswell, Ridder, Newhouse; Representatives Greengo, Amen.

MOTION

On motion of Mr. Greengo, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

April 8, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4250,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 4250, by Senator Lee:

Relating to revenue and taxation.

MOTION

On motion of Mr. Hastings, the rules were suspended, and Engrossed Senate Bill No. 4250 was advanced to second reading.

Engrossed Senate Bill No. 4250 was read the second time.

Mr. Greengo moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price: PROVIDED, That from and after the first day of December, 1981, until and including the thirtieth day of ~~((June, 1983))~~ April, 1982, such tax shall be levied and collected in an amount equal to five and five-tenths percent of the selling price: PROVIDED FURTHER, That from and after the first day of May, 1982, until and including the thirtieth day of June, 1983, such tax shall be levied and collected in an amount equal to the rate specified in section 31 of this 1982 act multiplied by the selling price.

(2) The tax imposed under this chapter shall apply to successive retail sales of the same property.

(3) The rate provided in this section applies to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 2. Section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901 are each amended to read as follows:

From and after the first day of ~~((June, 1976))~~ April, 1982, until and including the thirtieth day of June, ~~((1979))~~ 1983, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by the provisions of RCW 82.04.220 through 82.04.290, inclusive, an additional tax ~~((in the amount of six percent of))~~ equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under the provisions of RCW 82.04.220 through 82.04.290, inclusive. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the amount to the nearest one-thousandth of one percent of the additional tax hereby imposed, adjusting ten-thousandths equal to or greater than five ten-thousandths to the greater thousandth.

Sec. 3. Section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected a tax upon each retail sale of spirits, or strong beer in the original package at the rate of fifteen percent of the selling price. The tax imposed in this subsection shall apply to all such sales including sales by the Washington state liquor stores and agencies, but excluding sales to class H licensees.

(2) There is levied and shall be collected a tax upon each sale of spirits, or strong beer in the original package at the rate of ten percent of the selling price on sales by Washington state liquor stores and agencies to class H licensees.

(3) There is levied and shall be collected an additional tax upon each retail sale of spirits in the original package at the rate of one dollar and seventy-two cents per liter. The additional tax imposed in this subsection shall apply to all such sales including sales by Washington state liquor stores and agencies, and including sales to class H licensees.

(4) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the taxes payable under subsections (1), (2), and (3) of this section.

(5) The tax imposed in RCW 82.08.020, as now or hereafter amended, shall not apply to sales of spirits or strong beer in the original package.

~~((5))~~ (6) The taxes imposed in this section shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale under this

section. The taxes required by this section to be collected by the seller shall be stated separately from the selling price and for purposes of determining the tax due from the buyer to the seller, it shall be conclusively presumed that the selling price quoted in any price list does not include the taxes imposed by this section.

((6)) (7) As used in this section, the terms, 'spirits,' 'strong beer,' and 'package' shall have the meaning ascribed to them in chapter 66.04 RCW.

Sec. 4. Section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160 are each amended to read as follows:

On or before the twenty-fifth day of each month, all taxes collected under RCW 82.08.150 during the preceding month shall be remitted to the state department of revenue, to be deposited with the state treasurer. Upon receipt of such moneys the state treasurer shall credit sixty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) and one hundred percent of the sums collected and remitted under RCW 82.08.150 (3) and (4) to the state general fund and thirty-five percent of the sums collected and remitted under RCW 82.08.150 (1) and (2) to a fund which is hereby created to be known as the 'liquor excise tax fund.'

Sec. 5. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

((+)) (a) Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three and six-tenths percent;

((2)) (b) Gas distribution business: Three percent;

((3)) (c) Urban transportation business: Six-tenths of one percent;

((4)) (d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

((5)) (e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 6. Section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030 are each amended to read as follows:

Every person engaging in businesses which are within the purview of two or more of schedules ((+); (2), (3), (4) and (5)) (a), (b), (c), (d), and (e) of RCW 82.16.020(1), shall be taxable under each schedule applicable to the businesses engaged in.

Sec. 7. Section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, fifty cents; and for each additional five hundred dollars or fractional part thereof, fifty cents.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

(3) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

Sec. 8. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of eight and one-half mills per cigarette. For purposes of this chapter and RCW 28A.47.440, 'possession' shall mean both ((+)) (a) physical possession by the purchaser and, ((2)) (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section, RCW 82.24.025, and 28A.47.440.

Sec. 9. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020 are each amended to read as follows:

(1) From and after June 1, 1971, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of forty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes,

manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) ~~((A floor stocks tax is hereby imposed upon every distributor of tobacco products at the rate of twenty-five percent of the wholesale sales price of each tobacco product in his possession or under his control on July 1, 1959.~~

~~Each distributor, within twenty days after July 1, 1959 shall file a report with the department, in such form as the department may prescribe, showing the tobacco products on hand on July 1, 1959 and the amount of tax due thereon.~~

~~The tax imposed by this subdivision shall be due and payable within twenty days after July 1, 1959 and thereafter shall bear interest at the rate of one percent per month.)) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.~~

Sec. 10. Section 2, chapter 98, Laws of 1980 and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the possession of food fish and shellfish for commercial purposes as provided in this chapter. The tax is levied upon and shall be collected from the owner of the food fish or shellfish whose possession constitutes the taxable event. The taxable event is the first possession by an owner after the food fish or shellfish have been landed. Processing and handling of food fish and shellfish by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of food fish and shellfish and liable to this tax may deduct from the price paid to the person from which such food fish or shellfish (except oysters) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the price paid by the first person in possession of the food fish or shellfish. If the food fish or shellfish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish or shellfish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.

(4) The tax shall be equal to the measure of the tax multiplied by the rates for food fish and shellfish as follows:

- (a) Chinook, coho, and chum salmon: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish, except oysters: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (4) of this section.

Sec. 11. Section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030 are each amended to read as follows:

(1) There is hereby levied and shall be collected a leasehold excise tax on the act or privilege of occupying or using publicly owned real or personal property through a leasehold interest on and after January 1, 1976, at a rate of twelve percent of taxable rent: PROVIDED, That after the computation of the tax there shall be allowed credit for any tax collected pursuant to RCW 82.29A.040.

(2) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 12. Section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to the general fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licensing in the collection of the excise tax: PROVIDED, That one hundred percent of the proceeds of the additional two-tenths of one percent excise tax imposed by RCW 82.44.020(2), as now or hereafter amended, shall be credited by the state treasurer to the Puget Sound capital construction account in the motor vehicle fund: PROVIDED FURTHER, That all revenues collected under RCW 82.44.020(5) shall be credited by the state treasurer to the general fund.

Sec. 13. Section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September and December, respectively, except for those payable under RCW 82.44.020(5), 82.44.030, and 82.44.070, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(5), 82.44.030, and 82.44.070, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(5). A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; a sum equal to seventy percent of all motor vehicle excise tax receipts, except taxes collected under RCW 82.44.020(5), shall be allocable to the state school equalization fund and credited and transferred each year in the following order of priority:

(a) The amount required and certified by the state finance committee each year as being necessary for payment of principal and of interest on bonds authorized by ((chapter 26, Laws of 1963 extraordinary session)) RCW 28A.47.760 through 28A.47.774 in the ensuing twelve months and any additional amounts required by the covenants of such bonds shall be transferred from the state school equalization fund to the 1963 public school building bond retirement fund.

(b) Any remaining amounts in the state school equalization fund from the motor vehicle excise taxes not required for debt service on the above bond issues shall be transferred and credited to the general fund.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the office of financial management.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 14. Section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060 are each amended to read as follows:

(1) There is imposed an excise tax upon each sale of real property at the rate of one percent of the selling price.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section.

Sec. 15. Section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) From and after the first day of April, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the taxes payable under subsections (1) and (2) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of three-quarters of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

(5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

(6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

(7) This section shall be effective as to and shall govern the payment of all taxes falling due after the effective date of this code.

Sec. 16. Section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto; (2) forty-five percent of all moneys received by the state from taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3); (3) taxes paid pursuant to the provisions of RCW 41.16.060; (4) interest on the investments of the fund; and (5) contributions by firemen as provided for herein. The forty-five percent of moneys received from the tax on fire insurance premiums under the provisions of this chapter shall be distributed in the proportion that the number of paid firemen in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after the taking effect of this 1961 amendatory act and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of paid firemen in the fire department in such city, town or fire protection district. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of

each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Sec. 17. Section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030 are each amended to read as follows:

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.

(2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) Three dollars for each volunteer or part-paid member of its fire department;

(b) A sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(3) Where a municipal corporation has elected to make available to the members of its fire department the retirement provisions as herein provided, an annual fee of thirty dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twenty dollars of which shall be paid by the fireman.

(4) Forty percent of all moneys received by the state from ~~((its))~~ taxes on fire insurance premiums, except any such moneys received under RCW 48.14.020(3), shall be paid into the state treasury and credited to the fund.

(5) The state investment board, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investments may be made in such bonds, notes or other obligations now or hereafter authorized as an investment for the funds of the public employees' retirement system.

(6) All bonds or other obligations purchased according to ~~((subdivision))~~ subsection (5) of this section shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Sec. 18. Section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, except with respect to thermal electric generating facilities taxed under RCW 54.28.025, such tax shall be the sum of the following amounts: ~~((+))~~ (a) Two percent of the gross revenues derived by the district from the sale of all electric energy which it distributes to consumers who are served by a distribution system owned by the district; ~~((+))~~ (b) five percent of the first four mills per kilowatt-hour of wholesale value of self-generated energy distributed to consumers by a district; ~~((+))~~ (c) five percent of the first four mills per kilowatt-hour of revenue obtained by the district from the sale of self-generated energy for resale.

(2) An additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section for April, 1982, through June, 1983.

Sec. 19. Section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every district operating a thermal electric generating facility, as defined in RCW 54.28.010 as now or hereafter amended, having a design capacity of two hundred fifty thousand kilowatts or more, located on a federal reservation, which is placed in operation after September 21, 1977, a tax for the act or privilege of engaging within the state in the business of generating electricity for use or sale, equal to one and one-half percent of wholesale value of energy produced for use or sale, except energy used in the operation of component parts of the power plant and associated transmission facilities under control of the person operating the power plant.

(2) An additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section for April, 1982, through June, 1983.

Sec. 20. Section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040 are each amended to read as follows:

Prior to May 1st, the department of revenue shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the department of revenue shall deposit the same with the state treasurer, who shall deposit four percent ~~((thereof))~~ of the revenues received under RCW 54.28.020(1) and 54.28.025(1) and all revenues received under RCW 54.28.020(2) and 54.28.025(2) in the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each ~~((such letter of))~~ transmittal to the department of revenue.

Sec. 21. Section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050 are each amended to read as follows:

After computing the tax imposed by RCW 54.28.020(1), the department of revenue shall instruct the state treasurer, after placing thirty-seven and six-tenths percent in the state general fund to be dedicated for the benefit of the public schools, to distribute the balance collected under RCW 54.28.020 (~~(subsection)~~) (1)(a) to each county in proportion to the gross revenue from sales made within each county; and to distribute the balance collected under RCW 54.28.020 (~~((2) and (3))~~) (1)(b) and (c) as follows: If the entire generating facility, including reservoir, if any, is in a single county then all of the balance to the county where such generating facility is located. If any reservoir is in more than one county, then to each county in which the reservoir or any portion thereof is located a percentage equal to the percentage determined by dividing the total cost of the generating facilities, including adjacent switching facilities, into twice the cost of land and land rights acquired for any reservoir within each county, land and land rights to be defined the same as used by the federal power commission. If the powerhouse and dam, if any, in connection with such reservoir are in more than one county, the balance shall be divided sixty percent to the county in which the owning district is located and forty percent to the other county or counties or if said powerhouse and dam, if any, are owned by a joint operating agency organized under chapter 43.52 RCW, or by more than one district or are outside the county of the owning district, then to be divided equally between the counties in which such facilities are located. If all of the powerhouse and dam, if any, are in one county, then the balance shall be distributed to the county in which the facilities are located.

The provisions of this section shall not apply to the distribution of taxes collected under RCW 54.28.025.

Sec. 22. Section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055 are each amended to read as follows:

(1) After computing the tax imposed by RCW 54.28.025(1), the department of revenue shall instruct the state treasurer to distribute the amount collected as follows:

(a) Fifty percent to the state general fund for the support of schools; and

(b) Twenty-two percent to the counties, twenty-three percent to the cities, three percent to the fire protection districts, and two percent to the library districts.

(2) Each county, city, fire protection district and library district shall receive a percentage of the amount for distribution to counties, cities, fire protection districts and library districts, respectively, in the proportion that the population of such district residing within the impacted area bears to the total population of all such districts residing within the impacted area.

(3) If any distribution pursuant to subsection (1)(b) of this section cannot be made, then that share shall be prorated among the state and remaining local districts.

(4) All distributions directed by this section to be made on the basis of population shall be calculated in accordance with data to be provided by the office of financial management.

Sec. 23. Section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210 are each amended to read as follows:

(1) There is hereby imposed upon all wines sold to wine wholesalers and the Washington state liquor control board, within the state a tax at the rate of twenty and one-fourth cents per liter: PROVIDED, HOWEVER, That wine sold or shipped in bulk from one winery to another winery shall not be subject to such tax. The tax (herein) provided for in this section may, if so prescribed by the board, be collected by means of stamps to be furnished by the board, or by direct payments based on wine purchased by wine wholesalers. Every person purchasing wine under the provisions of this section shall on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report shall pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. If this tax be collected by means of stamps, every such person shall procure from the board revenue stamps representing the tax in such form as the board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser. If the tax is not collected by means of stamps, the board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may forthwith suspend or cancel the license until all taxes are paid.

(2) From and after the first day of May, 1982, until including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

Sec. 24. Section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290 are each amended to read as follows:

(1) Any brewer or beer wholesaler licensed under this title may sell and deliver beer to holders of authorized licenses direct, but to no other person, other than the board; and every such brewer or beer wholesaler shall report all sales to the board monthly, pursuant to the regulations, and shall pay to the board as an added tax for the privilege of manufacturing and selling the beer within the state a tax of two dollars and sixty cents per barrel of thirty-one gallons on sales to licensees within the state and on sales to licensees

within the state of bottled and canned beer shall pay a tax computed in gallons at the rate of two dollars and sixty cents per barrel of thirty-one gallons. Any brewer or beer wholesaler whose applicable tax payment is not postmarked by the twentieth day following the month of sale will be assessed a penalty at the rate of two percent per month or fraction thereof. Each such brewer or wholesaler shall procure from the board revenue stamps representing such tax in form prescribed by the board and shall affix the same to the barrel or package in such manner and in such denominations as required by the board, and shall cancel the same prior to commencing delivery from his place of business or warehouse of such barrels or packages. Beer shall be sold by brewers and wholesalers in sealed barrels or packages. The revenue stamps herein provided for need not be affixed and canceled in the making of resales of barrels or packages already taxed by the affixation and cancellation of stamps as provided in this section.

(2) From and after the first day of May, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed equal to the rate specified in section 31 of this 1982 act multiplied by the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax shall be transferred to the state general fund by the twenty-fifth day of the following month.

(3) The (above) tax imposed under this section shall not apply to 'strong beer' as defined in this title. Sec. 25. Section 73, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.170 are each amended to read as follows:

There shall be a fund, known as the 'liquor revolving fund', which shall consist of all license fees, permit fees, penalties, forfeitures, and all other moneys, income, or revenue received by the board, except revenues received under RCW 66.24.210(2) and 66.24.290(2). The state treasurer shall be custodian of the fund. Except as otherwise provided by law, all moneys received by the board or any employee thereof, except for change funds and an amount of petty cash as fixed by the board within the authority of law shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the liquor revolving fund. Disbursements from the revolving fund shall be on authorization of the board or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the liquor revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund.

Sec. 26. Section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the fair market value of such vehicle.

(2) From and after August 1, 1978, and until August 1, 2008, an additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the fair market value of such vehicle.

(3) The department of licensing and county auditors shall collect the additional tax imposed by subsection (2) of this section for any registration year for the months of that registration year in which such additional tax is effective, and in the same manner and at the same time as the tax imposed by subsection (1) of this section.

(4) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

(5) From and after the first day of July, 1982, until and including the thirtieth day of June, 1983, an additional tax is imposed in the amount of ten percent of the taxes payable under subsections (1) and (2) of this section.

Sec. 27. Section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, payments of the taxes imposed under chapters 82.04, 82.08, 82.12, 82.14, and 82.16 RCW, along with reports and returns on forms prescribed by the department, are due monthly within the number of days specified in the following table after the end of the month in which the taxable activities occur.

For activities occurring in	Days
October, 1981 through March, 1982	25
April, 1982 through March, 1983	20
April, 1983 and thereafter	15

(2) A monthly taxpayer may elect to remit an estimated amount of the tax due for each month on or before the due date set forth in subsection (1) of this section. The estimated amount of tax remitted shall be at least the greater of ninety percent of the tax actually due for the month or one-third of the tax due during the corresponding quarter of the previous year. Each taxpayer filing an estimated return shall file a separate quarterly return on the last day of the month after the end of each calendar quarter. Each quarterly return shall be on forms prescribed by the department, include such information as the department may require to correctly determine tax liability during the quarter, and be accompanied by a remittance of the balance of the tax actually due for the quarter.

(3) The department of revenue may relieve any taxpayer or class of taxpayers from the obligation of remitting monthly and may require the return to cover other longer reporting periods, but in no event may returns be filed for a period greater than one year. For these taxpayers, tax payments are due on or before the last day of the month next succeeding the end of the period covered by the return.

(4) The department of revenue may also require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

Sec. 28. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 18, chapter 149, Laws of 1967 ex. sess. and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Selling price' means the consideration, whether money, credits, rights, or other property except, until July 1, 1983, trade-in property of like kind, expressed in the terms of money paid or delivered by a buyer to a seller (—) without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the 'selling price' shall be determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules as the department of revenue may prescribe;

(2) 'Seller' means every person making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal;

(3) 'Buyer' and 'consumer' include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof;

(4) The meaning attributed in chapter 82.04 RCW to the terms 'tax year,' 'taxable year,' 'person,' 'company,' 'sale,' 'sale at retail,' 'retail sale,' 'sale at wholesale,' 'wholesale,' 'business,' 'engaging in business,' 'cash discount,' 'successor,' 'consumer,' 'in this state' and 'within this state' shall apply equally to the provisions of this chapter.

Sec. 29. Section 82.12.010, chapter 15, Laws of 1961 as last amended by section 1, chapter 1, Laws of 1975-'76 2nd ex. sess. and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Value of the article used' shall mean the consideration, whether money, credit, rights, or other property except, until July 1, 1983, trade-in property of like kind, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe.

In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the department of revenue may prescribe: PROVIDED, That in case any such articles of tangible personal property are used in respect to the construction, repairing, decorating, or improving of, and which become or are to become an ingredient or component of, new or existing buildings or other structures under, upon, or above real property of or for the United States, any instrumentality thereof, or a county or city housing authority created pursuant to chapter 35.82 RCW, including the installing or attaching of any such articles therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, then the value of the use of such articles so used shall be determined according to the retail selling price of such articles, or in the absence of such a selling price, as nearly as possible according to the retail selling price at place of use of similar products of like quality and character or, in the absence of either of these selling price measures, such value may be determined upon a cost basis, in any event under such rules and regulations as the department of revenue may prescribe.

In the case of articles manufactured or produced by the user and used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of the articles used shall be determined according to the value of the ingredients of such articles.

(2) 'Use,' 'used,' 'using,' or 'put to use' shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state;

(3) 'Taxpayer' and 'purchaser' include all persons included within the meaning of the word 'buyer' and the word 'consumer' as defined in chapters 82.04 and 82.08 RCW;

(4) 'Retailer' means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08 RCW, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. 'Consumer,' in addition to the meaning ascribed to it in chapters 82.04 and 82.08 RCW insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

NEW SECTION, Sec. 30. (1) At the end of the fiscal biennium beginning July 1, 1981, the state treasurer shall transfer from the general fund to the budget stabilization account created under RCW 43.88.525 an amount equal to the biennial revenue collections minus \$5,210,000,000.

(2) As used in this section, 'biennial revenue collections' means all revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440, as amended by this act, and deposited with the state treasurer for credit to the general fund.

NEW SECTION, Sec. 31. There is added to chapter 82.02 RCW a new section to read as follows:

(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be six and one-tenth percent and the rate of the additional taxes under sections 2 through 24 of this act shall be ten percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the October revenue collections are less than \$2,860,000,000, the rate of sales and use taxes under section 1 of this act shall be six and one-tenth percent and the rate of the additional taxes under sections 2 through 24 of this act shall be ten percent.

(b) If the October revenue collections equal or exceed \$2,860,000,000 and are less than \$2,880,000,000, the rate of sales and use taxes under section 1 of this act shall be five and eight-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be five percent.

(c) If the October revenue collections equal or exceed \$2,880,000,000, the rate of sales and use taxes under section 1 of this act shall be five and five-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be zero percent.

(3) As used in this section:

(a) 'October revenue collections' means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: October 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: September 30, 1982.

(b) 'Change date' for the taxes under sections 1 through 9 and 12 through 24 of this act means November 1, 1982; and for the taxes under sections 10 and 11 of this act means January 1, 1983.

NEW SECTION, Sec. 32. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION, Sec. 33. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 28 and 29 of this act which shall take effect May 1, 1982. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

MOTION

On motion of Mr. Hastings, the House adjourned until 10:00 a.m., Friday, April 9, 1982.

WILLIAM M. POLK, Speaker

PATRICIA M. WILLIAMS, Chief Clerk

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 9, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Becker, Eberle and Winsley. Representative Winsley was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Heidi McConaghy and Denise Icenogle. Prayer was offered by The Reverend Frank L. Accardy, Minister of the Emmanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

April 8, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 8, 1982, Governor Spellman approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 764: Relating to revenue and taxation;
SUBSTITUTE HOUSE BILL NO. 1165: Relating to state government.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGE FROM THE SENATE

April 8, 1982

Mr. Speaker:

The Senate has adopted the report of the Conference committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3783, authorizing the physical revaluation of property every six years if statistical adjustments are made, have had the same under consideration and we recommend the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030 are each amended to read as follows:

Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis, and shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. Section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected and valued at least once every (~~four~~) six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be revalued and these newly-determined values placed on the assessment rolls each year. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years, during the intervals between each physical inspection of real property, the valuation of such property shall be

adjusted to its current true and fair value, such adjustments to be made once each year and to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property.

Sec. 3. Section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090 are each amended to read as follows:

The department of revenue shall by rule establish appropriate statistical methods for use by assessors in adjusting the valuation of property between physical inspections. The department of revenue shall make and publish such additional rules, regulations and guides which it determines are needed to supplement materials presently published by the department of revenue for the general guidance and assistance of county assessors. Each assessor is hereby directed and required to value property in accordance with the standards established by RCW 84.40.030 and in accordance with the applicable rules, regulations and valuation manuals published by the department of revenue.

Sec. 4. Section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to ~~((May 31st))~~ August 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of ~~((the April 30th immediately preceding the date that the property is placed on the assessment rolls))~~ July 31st of that year.

(2) If, on or before December 31 in any calendar year, any real or personal property placed upon the assessment roll of that year is destroyed in whole or in part, or is in an area that has been declared a disaster area by the governor and has been reduced in value by more than twenty percent as a result of a natural disaster, the true cash value of such property shall be reduced for that year by an amount determined as follows, without necessity of taxpayer application under chapter 84.70 RCW:

(a) First take the true cash value of such taxable property before destruction or reduction in value and deduct therefrom the true cash value of the remaining property after destruction or reduction in value.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction or reduction in value of the property.

Sec. 5. Section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040 are each amended to read as follows:

The assessor shall begin the preliminary work for each assessment not later than the first day of December of each year in all counties in the state. He shall also complete the duties of listing and placing valuations on all property by May 31st of each year, except that the listing and valuation of construction under RCW 36.21.040 through 36.21.080 shall be completed by August 31st of each year, and in the following manner, to wit:

He shall actually determine as nearly as practicable the true and fair value of each tract or lot of land listed for taxation and of each improvement located thereon and shall enter one hundred percent of the value of such land and of the total value of such improvements, together with the total of such one hundred percent valuations, opposite each description of property on his assessment list and tax roll.

He shall make an alphabetical list of the names of all persons in his county liable to assessment of personal property, and require each person to make a correct list and statement of such property according to the standard form prescribed by the department of revenue, which statement and list shall include, if required by the form, the year of acquisition and total original cost of personal property in each category of the prescribed form, and shall be signed and verified under penalty of perjury by the person listing the property. Such list and statement shall be filed on or before the last day of March, but the assessor, upon written request filed on or before such date and for good cause shown therein, shall allow a reasonable extension of time for filing. The assessor shall on or before the 1st day of January of each year mail a notice to all such persons at their last known address that such statement and list is required, such notice to be accompanied by the form on which the statement or list is to be made: **PROVIDED**, That the notice mailed by the assessor to each taxpayer each year shall, if practicable, include the statement and list of personal property of the taxpayer for the preceding year. Upon receipt of such statement and list the assessor shall thereupon determine the true and fair value of the property included in such statement and enter one hundred percent of the same in the assessment books opposite the name of the party assessed; and in making such entry in his assessment list, he shall give the name and post office address of the party listing the property, and if the party resides in a city the assessor shall give the street and number or other brief description of his residence or place of business. The assessor may, after giving written notice of his action to the person to be assessed, add to the assessment list any taxable property which, in his judgment, should be included in such list.

Sec. 6. Section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

(1) Appeals taken pursuant to RCW 82.03.190.

(2) Appeals from a county board of equalization pursuant to RCW 84.08.130.

(3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, the right to such an appeal being hereby established.

(4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, the right to such appeal being hereby established.

(5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) Said appeal be filed after review of the ratio (~~by the assessor with the department of revenue and upon or before August 11th~~) under RCW 84.48.075(3) and not later than fifteen days after the date of certification as required by RCW 84.48.075; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

Sec. 7. Section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075 are each amended to read as follows:

(1) The department of revenue shall annually, prior to the first Monday in August, determine (~~the~~) and submit to each assessor a preliminary indicated ratio for each county: PROVIDED, That the department shall establish rules and regulations pertinent to the determination of the indicated ratio, the indicated real property ratio and the indicated personal property ratio: PROVIDED FURTHER, That these rules and regulations may provide that data, as is necessary for said determination, which is available from the county assessor of any county and which has been audited as to its validity by the department, (~~may~~) shall be utilized by the department in determining the indicated ratio.

(2) To such extent as is reasonable, the department may define use classes of property for the purposes of determination of the indicated ratio. Such use classes may be defined with respect to property use and may include agricultural, open space, timber and forest lands.

(3) ~~The department shall review each county's preliminary ratio with the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, if requested by the assessor, a landowner, or an owner of an intercounty public utility or private car company of that county, respectively, between the first and third Mondays of August. Prior to equalization of assessments pursuant to RCW 84.48.080(~~~~-but no later than August 1st, the department shall submit its findings or preliminary findings to each of the county assessors allowing a reasonable time for review by the assessor)) and after the third Monday of August, the department shall certify to each county assessor the real and personal property ratio for that county.~~

(4) The department of revenue shall also examine procedures used by the assessor to assess real and personal property in the county, including calculations, use of prescribed value schedules, and efforts to locate all taxable property in the county. If any examination by the department discloses other than market value is being listed on the county assessment rolls of the county by the assessor and, after due notification by the department, is not corrected, the department of revenue shall, in accordance with rules adopted by the department, adjust the ratio of that type of property, which adjustment shall be used for determining the county's indicated ratio.

Sec. 8. Section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140 are each amended to read as follows:

In all appeals over which the board has jurisdiction under RCW 82.03.130, a party taking an appeal may elect either a formal or an informal hearing, such election to be made according to rules of practice and procedure to be promulgated by the board: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the provisions of RCW 82.03.190: AND PROVIDED FURTHER, That upon an appeal under RCW 82.03.130(5), the director of revenue may, within ten days from the date of its receipt of the notice of appeal, file with the clerk of the board notice of its intention that the hearing be held pursuant to chapter 34.04 RCW. In the event that appeals are taken from the same decision, order, or determination, as the case may be, by different parties and only one of such parties elects a formal hearing, a formal hearing shall be granted.

Sec. 9. Section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180 are each amended to read as follows:

Judicial review of a decision of the board of tax appeals shall be de novo in accordance with the provisions of RCW 82.32.180 or 84.68.020 as applicable except when the decision has been rendered pursuant to a formal hearing elected under RCW 82.03.140 or 82.03.190, in which event judicial review may be obtained only pursuant to RCW 34.04.130 and 34.04.140: PROVIDED, HOWEVER, That nothing herein shall be construed to modify the rights of a taxpayer conferred by RCW 82.32.180 and 84.68.020 to sue for tax refunds: AND PROVIDED FURTHER, That no review from a decision made pursuant to RCW 82.03.130(1) may be obtained by a taxpayer unless within the petition period provided by RCW 34.04.130 the taxpayer shall have first paid in full the contested tax, together with all penalties and interest thereon, if any. The director of revenue shall have the same right of review from a decision made pursuant to RCW 82.03.130(1) as does a taxpayer; and the director of revenue and all parties to an appeal under RCW 82.03.130(5) shall have the right of review from a decision made pursuant to RCW 82.03.130(5).

NEW SECTION, Sec. 10. There is added to chapter 84.40 RCW a new section to read as follows:

For the purpose of assessment and valuation of all taxable property in each county, any real or personal property in each county shall be subject to visitation, investigation, examination, discovery, and listing at any reasonable time by the county assessor of the county or by any employee thereof designated for this purpose by the assessor.

In any case of refusal to such access, the assessor shall request assistance from the department of revenue which may invoke the power granted by chapter 84.08 RCW.

Sec. 11. Section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060 are each amended to read as follows:

The department of revenue shall have power to direct and to order any county board of equalization to raise or lower the valuation of any taxable property, or to add any property to the assessment list, or to perform or complete any other duty required by statute. The department of revenue may require any such board of equalization to reconvene after its adjournment for the purpose of performing any order or requirement made by the department of revenue and may make such orders as it shall determine to be just and necessary. The department may require any county board of equalization to reconvene at any time for the purpose of performing or completing any duty or taking any action it might lawfully have performed or taken at any of its previous regular July, November or April meetings. If such board of equalization shall fail or refuse forthwith to comply with any such order or requirement of the department of revenue, the department of revenue shall have power to take any other appropriate action, or to make such correction or change in the assessment list, and such corrections and changes shall be a part of the record of the proceedings of the said board of equalization: **PROVIDED**, That in all cases where the department of revenue shall raise the valuation of any property or add property to the assessment list, it shall give notice either for the same time and in the same manner as is now required in like cases of county boards of equalization, or if it shall deem such method of giving notice impracticable it shall give notice by publication thereof in a newspaper of general circulation within the county in which the property affected is situated once each week for two consecutive weeks, and the department of revenue shall not proceed to raise such valuation or add such property to the assessment list until a period of five days shall have elapsed subsequent to the date of the last publication of such notice: **PROVIDED FURTHER**, That appeals to the board of tax appeals by any taxpayer or taxing unit concerning any action of the county board of equalization shall not raise the valuation of the property to an amount greater than the larger of either the valuation of the property by the county assessor or the valuation of the property assigned by the county board of equalization. Such notice shall give the legal description of each tract of land involved, or a general description in case of personal property; the tax record-owner thereof; the assessed value thereof determined by the county board of equalization in case the property is on the assessment roll; and the assessed value thereof as determined by the department of revenue and shall state that the department of revenue proposes to increase the assessed valuation of such property to the amount stated and to add such property to the assessment list at the assessed valuation stated. The necessary expense incurred by the department of revenue in making such reassessment and/or adding such property to the assessment list shall be borne by the county or township in which the property as reassessed and/or so added to the assessment list is situated and shall be paid out of the proper funds of such county upon the order of the department of revenue.

NEW SECTION. Sec. 12. Sections 1 through 5 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, on line 1 of the title, after "property," strike the remainder of the title and insert "amending section 84.41.030, chapter 15, Laws of 1961 as amended by section 6, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.030; amending section 2, chapter 131, Laws of 1974 ex. sess. as amended by section 9, chapter 214, Laws of 1979 ex. sess. and RCW 84.41.041; amending section 84.41.090, chapter 15, Laws of 1961 as amended by section 200, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.41.090; amending section 36.21.080, chapter 4, Laws of 1963 as last amended by section 3, chapter 274, Laws of 1981 and RCW 36.21.080; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040; amending section 42, chapter 26, Laws of 1967 ex. sess. as amended by section 2, chapter 284, Laws of 1977 ex. sess. and RCW 82.03.130; amending section 3, chapter 284, Laws of 1977 ex. sess. and RCW 84.48.075; amending section 43, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.140; amending section 47, chapter 26, Laws of 1967 ex. sess. and RCW 82.03.180; amending section 84.08.060, chapter 15, Laws of 1961 as amended by section 150, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.060; adding a new section to chapter 84.40 RCW; and declaring an emergency."

Signed by Senators Craswell, Ridder, Newhouse; Representatives Greengo, Amen.

MOTION

Mr. Greengo moved that the Report of the Free Conference Committee be adopted.

Mr. Greengo spoke in favor of the motion.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Padden.

Mr. Padden: "Representative Greengo, on page 12, new section 10, there is language regarding the assessor's right to demand visitation on real property, and this body has previously shown quite a concern about units of government being able to go onto private or real property. Is this going to allow an assessor to demand to go onto a citizen's property and go into the house whether the citizen wants that or not?"

Mr. Greengo: "My understanding is that the answer is 'no.' The county assessor would have the same powers as the Department of Revenue, and no more."

Mr. Padden spoke against the motion to concur, and Ms. Sommers spoke in favor of it.

The motion was carried.

MOTION

On motion of Mr. Hastings, further consideration of the Free Conference Committee Report on Engrossed Substitute Senate bill No. 3783 was deferred, and the bill was placed on the third reading calendar.

SENATE AMENDMENTS TO HOUSE BILL

April 8, 1982

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 906 with the following amendments:

On page 1, line 11 strike "provision of tax incentives for investment projects and"

On page 2, line 3 strike "(1)"

On page 2, after line 4, strike all the material down to and including "board." on page 3, line 9.

On page 5, after line 17 strike all the material down to and including "located." on line 24

On page 7, after line 22 strike all the material down to and including "chapter." on page 9, line 15.

Renumber the remaining sections consecutively and correct any internal references accordingly.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Sanders moved that the House do concur in the Senate amendments to Second Substitute House Bill No. 906.

Representatives Sanders and Rinehart spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 906 as amended by the Senate.

POINT OF INQUIRY

Ms. Brekke asked Mr. Sanders to yield to question and he refused to yield.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 906 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 26; not voting, 6.

Voting yea: Representatives Amen, Armstrong, Barnes, Barrett, Bender, Bickham, Brekke, Burns, Chamberlain, Chandler, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Johnson, King R., Kreidler, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Scott, Sherman, Sommers, Stratton, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Berleen, Bond, Cantu, Clayton, Dawson, Dickie, Fancher, Flanagan, Hastings, Isaacson, James, Kaiser, Leonard, McDonald, McGinnis, Nickell, Padden, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Vander Stoep.

Not voting: Representatives Becker, Brown, King J., Salatino, Wang, Winsley.

Second Substitute House Bill No. 906 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Winsley, who was excused.

SECOND READING

ENGROSSED SENATE BILL NO. 4250, by Senator Lee:

Relating to revenue and taxation.

The House resumed consideration of the bill on second reading. (For previous action, see yesterday's Journal.)

The Speaker stated the question before the House to the amendment by Representative Greengo striking everything after the enacting clause and inserting new material.

On motion of Mr. Van Dyken, the following amendments by Representatives Van Dyken, Tilly, Warnke, Owen, Bond, James, Padden and McGinnis to the Greengo amendment was adopted:

On page 29, after line 36 of the amendment, insert the following:

NEW SECTION. Sec. 32. There is added to chapter 82.08 RCW a new section to read as follows:

A seller is entitled to a credit or refund for sales taxes previously paid on debts which are deductible as worthless for federal income tax purposes.

NEW SECTION. Sec. 33. There is added to chapter 82.12 RCW a new section to read as follows:

A seller is entitled to a credit or refund for use taxes previously paid on debts which are deductible as worthless for federal income tax purposes.

Sec. 34. Section 82.08.100, chapter 15, Laws of 1961 as amended by section 50, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.100 are each amended to read as follows:

The department of revenue, by general regulation, ((may)) shall provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each reporting period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period. A taxpayer filing returns on a cash receipts basis is not required to pay such tax on debts which are deductible as worthless for federal income tax purposes.

Sec. 35. Section 82.12.070, chapter 15, Laws of 1961 as amended by section 55, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.070 are each amended to read as follows:

The department of revenue, by general regulation, ((may)) shall provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each reporting period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period. A taxpayer filing returns on a cash receipts basis is not required to pay such tax on debts which are deductible as worthless for federal income tax purposes.

On page 30, line 9 of the amendment, after "1982" and before the period insert ", and sections 32 through 35 of this act which shall take effect on January 1, 1983"

Mr. Hastings moved adoption of the following amendments by Representatives Hastings and Barrett to the Greengo amendment:

On page 28, line 35 strike "six and one-tenth" and insert "five and nine-tenths"

On page 29, line 2 strike "ten" and insert "eight"

On page 29, line 8 strike "six and one-tenth" and insert "five and nine-tenths"

On page 29, line 10 strike "ten" and insert "eight"

Representatives Hastings, Sommers and Nelson (D) spoke in favor of the amendments to the amendment, and Representatives Greengo and Nisbet spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Hastings and Barrett to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendments to the amendment were adopted by the following vote: Yeas, 56; nays, 32; not voting, 10.

Voting yea: Representatives Addison, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Clayton, Cole, Dawson, Ellis, Eng, Erak, Fancher, Galloway, Garrett, Granlund, Hastings, Hine, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, North, Padden, Pruitt, Salatino, Schmidt, Scott, Sherman, Sommers, Stratton, Taylor, Teutsch, Thompson, Tilly, Valle, Vander Stoep, Walk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Armstrong, Barnes, Barr, Brekke, Chandler, Dickie, Ehlers, Fiske, Flanagan, Gallagher, Garson, Greengo, Hankins, Heck, Houchen, Kaiser, Kreidler, McDonald, Nisbet, O'Brien, Patrick, Prince, Rinehart, Rosbach, Rust, Smith, Sprague, Struthers, Van Dyken, Wang, Williams.

Not voting: Representatives Becker, Eberle, Grimm, King J., King R., Martinis, Owen, Sanders, Tupper, Winsley.

Mr. Ehlers moved adoption of the following amendment by Representatives Ehlers, Heck, Grimm, Erak, Rinehart, Gallagher, Eng, Bender, Kreidler, King (R), Garrett, Rust, Wang, Pruitt, Thompson, Valle, Cole, Hine, Scott, Brekke, Kaiser, Armstrong, Granlund, Galloway, Owen, Burns, O'Brien, Sherman, McCormick, Lux, Stratton, Sommers, Walk, Maxie, North and Monohon to the Greengo amendment:

On page 29, after line 36 insert the following:

NEW SECTION. Sec. 32. The legislature recognizes that tax preferences are enacted by the legislature to meet objectives which are determined to be in the public interest. The legislature finds, however, that some tax preferences may not be efficient or equitable tools for the achievement of current legislative objectives. The legislature finds that unless it can be demonstrated that the public interest is served by the continued existence of tax preferences, they should be terminated or modified. The legislature further finds that periodic evaluations of tax preferences are needed to determine if their continued existence is in the public interest.

It is the intent of the legislature to establish a mechanism for scheduling periodic evaluations of tax preferences together with a system for their termination, continuation, or modification. By this mechanism, the legislature intends to ensure that thorough periodic evaluations are made and that those tax preferences which do not continue to serve the public interest are terminated or modified.

NEW SECTION. Sec. 33. As used in this chapter, 'tax preference' means an exemption, exclusion, or deduction from the base of a state tax; a credit against a state tax; a deferral of a state tax; or a preferential state tax rate.

NEW SECTION. Sec. 34. The legislative budget committee shall review each tax preference for termination by the processes provided in this chapter. The review shall be completed and a report prepared on or before June 30th of the year prior to the date established for termination. Upon completion of its report, the legislative budget committee shall transmit copies of the report to the department of revenue. The department of revenue may then conduct its own review of the tax preference scheduled for termination and shall prepare a report on or before September 30th of the year prior to the date established for termination. Upon completion of its report the department of revenue shall transmit copies of its report to the legislative budget committee. The legislative budget committee shall prepare a final report that includes the reports of both the department of revenue and the legislative budget committee. The legislative budget committee and the department of revenue shall, upon request, make available to each other all working papers, studies, and other documents which relate to reports required under this section. The legislative budget committee shall transmit the final report to all members of the legislature, to the governor, and to the state library.

NEW SECTION. Sec. 35. In reviewing a tax preference, the legislative budget committee shall develop information needed by the legislature to determine if the tax preference should be terminated as scheduled, modified, or reestablished without modification. The legislative budget committee shall consider, but not be limited to, the following factors in the review.

- (1) The persons or organizations whose state tax liabilities are directly affected by the tax preference.
- (2) Legislative objectives that might provide a justification for the tax preference.
- (3) Evidence that the existence of the tax preference has contributed to the achievement of any of the objectives identified in subsection (2) of this section.
- (4) The extent to which continuation of the tax preference beyond its scheduled termination date might contribute to any of the objectives identified in subsection (2) of this section.
- (5) Fiscal impacts of the tax preference, including past impacts and expected future impacts if it is not terminated as scheduled.
- (6) The extent to which termination of the tax preference would affect the distribution of liability for payment of state taxes.

NEW SECTION. Sec. 36. (1) Following receipt of the final report from the legislative budget committee, the ways and means committees of the house of representatives and the senate shall jointly hold a public hearing to consider the final report and any related data. The committees shall also receive testimony from the governor, or the governor's designee, and other interested parties, including the general public.

(2) Following the joint hearing, the committees may separately hold additional meetings or hearings to come to a final determination as to whether a continuation, modification, or termination of a tax preference is in the public interest. If a committee determines that a tax preference should be continued or modified, it shall make the determination as a bill. No more than one tax preference shall be reestablished or modified in any one bill.

NEW SECTION. Sec. 37. The select joint committee established under RCW 43.131.120 shall be responsible for the development of legislation which provides a schedule for the termination of tax preferences in a manner consistent with the terms of this chapter. The termination of tax preferences shall occur over a period of four years, beginning on June 30, 1984. In the development of this legislation, the select joint committee shall identify tax preferences which might appropriately be scheduled for termination and arrange for automatic termination of tax preferences, with a reasonable number of tax preferences to be terminated on June 30, 1984, including appropriate tax exemptions identified as eligible for termination by the department of revenue in the study conducted pursuant to section 26(3), chapter 340, Laws of 1981 (uncodified), a reasonable number of tax preferences to be terminated on June 30, 1985, a reasonable number of tax preferences to be terminated on June 30, 1986, and a reasonable number of tax preferences to be terminated on June 30, 1987.

Proposed legislation, recommendations, and findings shall be submitted to the legislature as soon as is practicable, but no later than the first day the legislature is in session after January 1, 1983.

NEW SECTION. Sec. 38. On or before September 30, 1982, the department of revenue shall provide the select joint committee with a report on existing tax preferences. The report shall include a list of tax preferences and a description of each one. Upon request of the select joint committee, the department of revenue shall provide additional information needed by the select joint committee to meet its responsibilities under this chapter.

NEW SECTION. Sec. 39. Sections 32 through 38 of this act shall constitute a new chapter in Title 43 RCW."

Renumber the sections consecutively and correct internal references accordingly.

Representatives Ehlers and Greengo spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Amen.

Mr. Amen: "Representative Ehlers, on page 2, you have stated that the Legislative Budget Committee shall review each tax preference. What do you see in this? Is this a one-time study or what is the proposal on this? By when does it have to be done?"

Mr. Ehlers: "Representative Amen, this particular amendment is the subject of a bill which I have requested a hearing on for the last year on four different occasions. What it essentially calls for is a recommendation to be made to the legislature as soon as practical, but no later than January 1, 1983. That would be the recommendation, and then the workload would not come until much later than that. There are dates—if you look further into the bill—dealing with tax preferences in 1984, 1985 and 1987 and so forth, to distribute the workload over a larger period of time and also for the legislature to apply some criteria to the decision making. I believe the time-line in here could very easily fit into the workload of the Legislative Budget Committee. The gist of it is, much like the original Sunset legislation, that a recommendation would be made to the next legislature in bill form, and then the specific ones would be identified and passed by the next legislature."

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Dickie.

Mr. Dickie: "Representative Ehlers, I have been looking through this hurriedly, and I'm wondering if it might be construed to apply to examination of public employee contracts, and whether or not it would apply to federal income tax, as well as state?"

Mr. Ehlers: "No, I don't believe so. I think specifically, if you look at the RCW citations, it refers to specific tax exemptions, tax credits, given by the Washington State Legislature and not federal."

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Nisbet.

Mr. Nisbet: "Representative Sommers, I always feel more secure dealing with revenue matters when I've heard your viewpoints on a particular measure, especially one coming from the opposite side of the aisle. I see you have signed on this. Would you care to give the body the benefit of your remarks pertaining to this particular amendment?"

Ms. Sommers: "I think that this is the kind of review we need very badly. We need a thorough, analytical look at so many of the figures that have been made in the past, and I would hope you would support it. It doesn't wipe anything out; it says we're going to review them."

Mr. Nisbet spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Ms. Teutsch.

Ms. Teutsch: "Representative Ehlers, would the work of this group parallel or duplicate the work of the Tax Advisory Council? If not, what type of coordination would exist between these two groups that will be looking at many of the same issues?"

Mr. Ehlers: "I really don't know what the Tax Advisory Council is. It's probably one of a number of others that ought to come under some Sunset review. I'm not aware of it. Did we just create it?"

Ms. Teutsch: "It is a commission appointed by the Governor and currently has sixteen members that come from a cross-section of the state. We had an amendment here on the floor several days ago to reduce it to twelve and to have members from each caucus of the House to work and to look into revenue measures in the state."

Mr. Ehlers: "I would assume that they would, in fact, have an opportunity to make their recommendations for the various tax exemptions, loopholes, to be included in the recommendations to the legislature. This is similar to the Sunset process where a number of commissions and boards and the governor's office and AWB and everybody else, has an opportunity to submit a list and have some input into the list of what's before the legislature. So yes, I would encourage such an organization to be part of those recommendations to the legislature, just as I would suggest that they, of course, make use of the Department of Revenue study that lists all of the various exemptions."

Mr. Nelson (G) spoke in favor of the amendment to the amendment.

On motion of Mr. Nelson (G), the rules were suspended, to allow additional members to sign on the amendment to the amendment.

Representatives Sprague, Hankins, Smith, McDonald, Tilly, Addison and Nelson (G) signed onto the amendment to the amendment.

POINT OF PARLIAMENTARY INQUIRY

Mr. Chandler: "Mr. Speaker, I haven't had a chance to read this amendment, but on page 4, line 30, it says, 'If a committee determines that a tax preference should be continued or modified, it shall make the determination as a bill.' My question is: Does that language mean that if the committee does not determine that the tax should be continued, that absent preference and absence of a bill would mean the preference would no longer be in effect?"

The Speaker: "Representative Chandler, a state law cannot be repealed without a bill with a repealer clause."

Representatives Ehlers and Greengo again spoke in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Ehlers and others to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendment to the amendment was adopted by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Fancher, Padden.

Not voting: Representative Winsley.

Mr. Lux moved adoption of the following amendments by Representatives Lux and Eng to the Greengo amendment:

On page 25, after line 6 strike all of sections 28 and 29.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 30, beginning on line 8 strike ", except sections 28 and 29 of this act which shall take effect May 1, 1982"

Representatives Lux, Sommers, Rust and Rinehart spoke in favor of the amendments to the amendment, and Representatives Prince, Taylor, Tilly, Struthers and McGinnis spoke against them.

Mr. Lux spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Lux and Eng to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendments were not adopted by the following vote: Yeas, 26; nays, 70; not voting, 2.

Voting yea: Representatives Armstrong, Barnes, Becker, Brekke, Burns, Cole, Eng, Garrett, Granlund, Hine, King J., Kreidler, Lux, Maxie, Nelson D., North, Pruitt, Rinehart, Rust, Schmidt, Sherman, Sommers, Thompson, Valle, Van Dyken, Wang.

Voting nay: Representatives Addison, Amen, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske,

Flanagan, Gallagher, Galloway, Garson, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Johnson, Kaiser, King R., Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, O'Brien, Owen, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Scott, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Vander Stoep, Walk, Warnke, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Tupper, Winsley.

Ms. Sommers moved adoption of the following amendments to the Greengo amendment:

On page 29, after line 36 insert the following:

"Sec. 32. Section 82.16.050, chapter 15, Laws of 1961 as last amended by section 1, chapter 368, Laws of 1977 ex. sess. and RCW 82.16.050 are each amended to read as follows:

In computing tax there may be deducted from the gross income the following items:

(1) Amounts derived by municipally owned or operated public service businesses, directly from taxes levied for the support or maintenance thereof: PROVIDED, That this section shall not be construed to exempt service charges which are spread on the property tax rolls and collected as taxes;

(2) Amounts derived from the sale of commodities to persons in the same public service business as the seller, for resale as such within this state. This deduction is allowed only with respect to water distribution, light and power, gas distribution or other public service businesses which furnish water, electrical energy, gas or any other commodity in the performance of public service businesses;

(3) Amounts actually paid by a taxpayer to another person taxable under this chapter as the latter's portion of the consideration due for services furnished jointly by both, if the total amount has been credited to and appears in the gross income reported for tax by the former;

(4) The amount of cash discount actually taken by the purchaser or customer;

(5) The amount of credit losses actually sustained by taxpayers whose regular books of accounts are kept upon an accrual basis;

(6) Amounts derived from business which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States, and with respect to amounts derived from transportation of persons or property or transmission of communications from points of origin in this state to points outside this state or from points of origin outside this state to points within this state, there may be deducted so much of the gross income as is attributable to the portion of the transportation or communication as occurs outside this state under rules prescribed by the department of revenue;

(7) Amounts derived from the distribution of water through an irrigation system, for irrigation purposes;

(8) ~~((Amounts derived from the transportation of commodities from points of origin in this state to final destination outside this state, or from points of origin outside this state to final destination in this state, with respect to which the carrier grants to the shipper the privilege of stopping the shipment in transit at some point in this state for the purpose of storing, manufacturing, milling, or other processing, and thereafter forwards the same commodity, or its equivalent, in the same or converted form, under a through freight rate from point of origin to final destination; and amounts derived from the transportation of commodities from points of origin in the state to an export elevator, wharf, dock or ship side on tidewater or navigable tributaries thereto from which such commodities are forwarded, without intervening transportation, by vessel, in their original form, to interstate or foreign destinations: PROVIDED, That no deduction will be allowed when the point of origin and the point of delivery to such an export elevator, wharf, dock, or ship side are located within the corporate limits of the same city or town;~~

(9)) Amounts derived from the production, sale, or transfer of electrical energy for resale or consumption outside the state if the production or generation of such energy is subject to tax under the manufacturing classification of chapter 82.04 RCW: PROVIDED, That the exemption set forth in RCW 82.04.310 shall not be applicable to the generation or production of the electrical energy so produced, sold, or transferred: AND PROVIDED FURTHER, That no credit has been claimed as an offset to taxes imposed under RCW 82.04.240;

~~((+0))~~ (9) Amounts derived from the distribution of water by a nonprofit water association and used for capital improvements by that nonprofit water association."

Remember the sections consecutively and correct internal references accordingly.

On page 30, line 9 after "28" strike "and 29" and insert ", 29, and 32"

Representatives Sommers and Rinehart spoke in favor of the amendments to the Greengo amendment, and Representatives Flanagan and Hastings spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sommers to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendments to the amendment were not adopted by the following vote: Yeas, 32; nays, 63; not voting, 3.

Voting yea: Representatives Armstrong, Becker, Bender, Brekke, Burns, Cole, Dawson, Ehlers, Eng, Gallagher, Grimm, Heck, Hine, Kaiser, King J., Kreidler, Lux, Maxie, Nelson D., Nisbet, Patrick, Pruitt, Rinehart, Rust, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nickell, North,

O'Brien, Owen, Padden, Prince, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives King R., Nelson G. A., Winsley.

Ms. Rust moved adoption of the following amendment to the Greengo amendment:

On page 28, after line 18 strike all material down through line 36 on page 29 and insert the following:

*Sec. 30. Section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax imposed with respect to such business shall be equal to ((the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows)):

(a) For timber harvested between October 1, 1974, and June 30, 1983, inclusive, the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by six and one-half percent; plus

(b) For timber harvested between April 1, 1982, and June 30, 1983, inclusive, an additional tax equal to the rate specified in section 32 of this 1982 act multiplied by the tax payable under subsection (1)(a) of this section. To facilitate collection of this additional tax, the department of revenue is authorized to adjust the total tax rate under this section to the nearest one-tenth of one percent, adjusting one-hundredths equal to or greater than five one-hundredths to the greater tenth.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) 'Timber' means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) 'Stumpage value of timber' means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) The department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Each year on or before December 31 for use the following January through June 30, and on or before June 30 for use the following July through December 31, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax account A and a state timber tax reserve account in the state general fund and any interest earned on the investment of cash balances shall be deposited in these accounts. The revenues from the tax imposed by subsection (1)(a) of this section shall be deposited in state timber tax account A and state timber tax reserve account as follows:

YEAR OF COLLECTION	ACCOUNT A	RESERVE ACCOUNT
1973 and thereafter	100%	0%

The revenues from the tax imposed by subsection (1)(b) of this section shall be deposited in the state general fund.

(6) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(7) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(8) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

NEW SECTION. Sec. 31. (1) At the end of the fiscal biennium beginning July 1, 1981, the state treasurer shall transfer from the general fund to the budget stabilization account created under RCW 43.88.525 an amount equal to the biennial revenue collections minus \$5,210,000,000.

(2) As used in this section, 'biennial revenue collections' means all revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440, as amended by this act, and deposited with the state treasurer for credit to the general fund.

NEW SECTION. Sec. 32. There is added to chapter 82.02 RCW a new section to read as follows:

(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be six and one-tenth percent and the rate of the additional taxes under sections 2 through 24 and 30 of this act shall be ten percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the October revenue collections are less than \$2,860,000,000, the rate of sales and use taxes under section 1 of this act shall be six and one-tenth percent and the rate of the additional taxes under sections 2 through 24 and 30 of this act shall be ten percent.

(b) If the October revenue collections equal or exceed \$2,860,000,000 and are less than \$2,880,000,000, the rate of sales and use taxes under section 1 of this act shall be five and eight-tenths percent and the rate of the additional taxes under sections 2 through 24 and 30 of this act shall be five percent.

(c) If the October revenue collections equal or exceed \$2,880,000,000, the rate of sales and use taxes under section 1 of this act shall be five and five-tenths percent and the rate of the additional taxes under sections 2 through 24 and 30 of this act shall be zero percent.

(3) As used in this section:

(a) 'October revenue collections' means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: October 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: September 30, 1982.

(b) 'Change date' for the taxes under sections 1 through 9 and 12 through 24 of this act means November 1, 1982; and for the taxes under sections 10, 11, and 30 of this act means January 1, 1983."

Renumber the sections consecutively and correct internal references accordingly.

Ms. Rust spoke in favor of the amendment to the amendment, and Mr. Lundquist spoke against it.

Ms. Rust spoke again in favor of the amendment, and Representatives Chamberlain, Martinis, Garson and Scott opposed it.

Mr. Lux spoke in favor of the amendment to the amendment.

The amendment to the Greengo amendment was not adopted.

Mr. Van Dyken moved adoption of the following amendment by Representatives Van Dyken and Galloway to the Greengo amendment:

On page 29, after line 36 insert the following:

"Sec. 32. Section 49, chapter 37, Laws of 1980 as last amended by section 1, chapter 18, Laws of 1981 and RCW 82.08.0284 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

(a) Except as provided in subsection (1)(b) of this section, 'food products' includes cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar (~~and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products:~~

~~'Food products' include~~), milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation(:

~~'Food products' include~~), and all fruit juices, and vegetable juices, (~~and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages,~~) whether liquid or frozen.

(b) ~~'Food products' does not include cookies, pastries, sweet breads, candy, chewing gum, ice cream, ice milk, frozen confections, cocoa, cocoa products, coffee, tea, beverages other than those included under subsection (1)(a) of this section, whether liquid or frozen, processed snacking foods such as potato chips, corn chips, and similar processed material, medicines, and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.~~

(c) The exemption of 'food products' provided for in (a) and (b) of this subsection shall not apply: ((~~†~~)) (i) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or ((~~††~~)) (ii) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or ((~~†††~~)) (iii) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts. This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine. For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

Sec. 33. Section 76, chapter 37, Laws of 1980 as amended by section 4, chapter 86, Laws of 1980 and RCW 82.12.0278 are each amended to read as follows:

(1) The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

(a) ~~Except as provided in subsection (1)(b) of this section, 'food products' includes cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar (and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products,~~

~~'Food products' include~~), milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation(:

~~'Food products' include~~), and all fruit juices, and vegetable juices, (~~and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages,~~) whether liquid or frozen.

(b) ~~'Food products' does not include cookies, pastries, sweet breads, candy, chewing gum, ice cream, ice milk, cream, half and half, frozen confections, cocoa, cocoa products, coffee, tea, beverages other than those included under subsection (1)(a) of this section, whether liquid or frozen, processed snacking foods such as potato chips, corn chips, and similar processed material, medicines, and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.~~

(2) The exemption of 'food products' provided for in this ((~~paragraph~~)) ~~section~~ shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 34. Sections 32 and 33 of this act are necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1982."

Re-number the sections consecutively and correct internal references accordingly.

Mr. Nelson (D) moved that the rules be suspended, to allow the following amendment to the amendment to the Greengo amendment:

On page 2, line 16, and page 5, line 3 after "material," insert "caviar, pate, truffles, escargot,"

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend the rules to allow adoption of the Nelson (D) amendment to the Van Dyken/Galloway amendment to the Greengo amendment and the motion was lost by the following vote: Yeas, 44; nays, 53; not voting, 1.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Padden, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Van Dyken, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berlee, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Pruitt, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representative Winsley.

The Speaker stated the question before the House to be the amendment by Representatives Van Dyken and Galloway to the Greengo amendment.

Representatives Van Dyken and Greengo spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Van Dyken yielded to question by Mr. Nelson (D).

Mr. Nelson (D): Representative Van Dyken, you used the term 'essentials of life' in describing food that should not bear the sales tax. By your list, you seem to exclude a number of things—ice cream, snack foods, other so-called junk food—from that list that's essential to life. I wonder if you would include items like caviar, pate, truffles, escargot, frog legs, those kinds of items which are not very usual in most people's diets, yet under your amendment, I would assume, would still be exempt from taxation. Maybe I missed something; maybe they are taxable under your amendment, but could you clarify for me how the sales tax would apply on those items and whether or not they are essential for life?"

Mr. Van Dyken: "Representative Nelson, when drafting this amendment, we took those major categories which were generally high ticket items and which are generally considered not to be truly essential. It is not, by any means, intended to be an exclusive list identifying all those items which are not essential for life. If we did that, we would probably have an amendment that would not fit on our desks. It is intended to name those major categories."

Representatives Nelson (D), Taylor, O'Brien, Tilly and Owen spoke against the amendment to the amendment, and Representatives Greengo, Galloway and Lux spoke in favor of it.

Mr. Van Dyken spoke again in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

Mr. Amen moved adoption of the following amendments by Representatives Flanagan and Amen to the Greengo amendment:

On page 24, line 2 after "amount of" strike "ten" and insert "four"

On page 25, beginning on line 7 strike all material down through "Constitution." on page 30, line 13 and insert the following:

NEW SECTION. Sec. 28. There is added to chapter 82.08 RCW a new section to read as follows:

The tax levied by RCW 82.08.020 shall not apply to sales of food purchased with food stamps.

NEW SECTION. Sec. 29. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food purchased with food stamps.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, insert the following: section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 31. There is added to chapter 82.02 RCW a new section to read as follows:

(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the October revenue collections are less than \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(b) If the October revenue collections equal or exceed \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and two-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be zero percent.

(3) As used in this section:

(a) 'October revenue collections' means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: October 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: September 30, 1982.

(b) 'Change date' for the taxes under sections 1 through 9 and 12 through 24 of this act means November 1, 1982; and for the taxes under sections 10 and 11 of this act means January 1, 1983.

NEW SECTION. Sec. 32. (1) At the end of the fiscal biennium beginning July 1, 1981, the state treasurer shall transfer from the general fund to the budget stabilization account created under RCW 43.88.525 an amount equal to the biennial revenue collections minus \$5,210,000,000.

(2) As used in this section, 'biennial revenue collections' means all revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440, as amended by this act, and deposited with the state treasurer for credit to the general fund.

NEW SECTION. Sec. 33. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 34. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982.

The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

Representatives Amen and Flanagan spoke in favor of the amendment to the amendment, and Representatives Rinehart and Nisbet spoke against it.

Mr. Heck demanded an electric roll call vote and the demand was sustained.

Mr. Clayton spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Ms. Stratton asked Mr. Clayton to yield to question and he refused to yield.

Representatives Nelson (D) and James spoke against the amendment to the amendment, and Representatives Garson, Lewis and Greengo spoke in favor of it.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Rinehart.

Ms. Rinehart: "Representative Greengo, could you tell the body the effect this amendment would have on previous amendments to this bill passed by this body?"

Mr. Greengo: "It's my understanding that it would supersede the Hastings' amendment which was adopted. It takes effect on page 25, so everything prior to that would remain in effect."

Ms. Rinehart: "What would be the relationship of this amendment to the Greengo striking amendment?"

Mr. Greengo: "In effect, if this amendment is adopted, the amendment before us will be the Flanagan/Amen amendment. If we adopt this and no other amendments, we will then have before us the Greengo amendment as amended."

Mr. Amen spoke again in favor of the amendment.

Mr. Heck demanded a Call of the House and the demand was not sustained.

Mr. Flanagan spoke again in favor of the amendment to the amendment, and Mr. Lux spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Flanagan and Amen to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 65; not voting, 1.

Voting yea: Representatives Amen, Barnes, Barr, Bickham, Bond, Clayton, Dawson, Dickie, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Kreidler, Lewis, McGinnis, Nelson G. A., Nickell, Prince, Rosbach, Smith, Sprague, Struthers, Taylor, Thompson, Tilly, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Becker, Bender, Berleen, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Isaacson, James, Johnson, Kaiser, King J., King R., Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Teutsch, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke.

Not voting: Representative Winsley.

MOTION FOR RECONSIDERATION

Mr. Tupper, having voted on the prevailing side, moved for reconsideration of the vote by which the Flanagan/Amen amendment to the Greengo amendment was not adopted.

The Speaker declared the House recessed until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker. The Clerk called the roll and all members were present.

On motion of Mr. Hastings, ENGROSSED SUBSTITUTE SENATE BILL NO. 3783 as amended by Free Conference Committee was placed at the top of the calendar for immediate consideration.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Addison.

Mr. Addison: "Representative Greengo, for the purpose of establishing legislative intent, on page 10, line 3 it states that if the Department of Revenue determines that 'other than market value is being listed on the county assessment roles of the county by the assessor, and if the assessor fails to take corrective action once notified, the Department of Revenue can adjust the ratio of that type of property.' Do you feel that such an adjustment could be made by the Department based on the determination that a single parcel or a few parcels are not at market value?"

Mr. Greengo: "Representative Addison, the answer to that is 'no.' Before the Department of Revenue could adjust the ratio of a type of property, the Department would have had to determine that the majority of the parcels in that category or type of property were improperly valued."

Ms. Leonard spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3783 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 70; nays, 24; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Barnes, Becker, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ehlers, Ellis, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., Kreidler, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nisbet, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Rust, Scott, Sherman, Smith, Sommers, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Barrett, Berleen, Bond, Cantu, Eng, Fancher, Fiske, James, King R., Leonard, Lundquist, McGinnis, Nelson G. A., Nickell, North, Padden, Patrick, Salatino, Sanders, Schmidt, Sprague, Warnke.

Not voting: Representatives Eberle, Prince, Stratton, Teutsch.

Engrossed Substitute Senate Bill No. 3783 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The House resumed consideration of ENGROSSED SENATE BILL NO. 4250 on second reading.

The Speaker stated the question before the House to be the motion by Mr. Tupper that the House reconsider the vote by which the Flanagan/Amen amendment to the Greengo amendment was not adopted.

The motion was carried.

On motion of Mr. Hastings, further consideration of the amendment to the amendment was deferred.

Mr. Amen moved adoption of the following amendments to the Greengo Amendment:

On page 24, line 2 after "amount of" strike "ten" and insert "four"

On page 25, beginning on line 7 strike all material down through "Constitution." on page 30, line 13 and insert the following:

NEW SECTION. Sec. 28. There is added to chapter 82.08 RCW a new section to read as follows: "The tax levied by RCW 82.08.020 shall not apply to sales of food purchased with food stamps.

NEW SECTION. Sec. 29. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food purchased with food stamps.

NEW SECTION. Sec. 30. The following acts or parts of acts are each repealed:

(1) Section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; and

(2) Section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278.

NEW SECTION. Sec. 31. There is added to chapter 82.02 RCW a new section to read as follows:

(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the October revenue collections are less than \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and four-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be four percent.

(b) If the October revenue collections equal or exceed \$2,855,000,000, the rate of sales and use taxes under section 1 of this act shall be five and two-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be zero percent.

(3) As used in this section:

(a) 'October revenue collections' means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: October 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: September 30, 1982.

(b) 'Change date' for the taxes under sections 1 through 9 and 12 through 24 of this act means November 1, 1982; and for the taxes under sections 10 and 11 of this act means January 1, 1983.

NEW SECTION. Sec. 32. (1) At the end of the fiscal biennium beginning July 1, 1981, the state treasurer shall transfer from the general fund to the budget stabilization account created under RCW 43.88.525 an amount equal to the biennial revenue collections minus \$5,210,000,000.

(2) As used in this section, 'biennial revenue collections' means all revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under chapters 82.04, 82.08, 82.12, 82.16, 82.24, 82.26, and 82.45 RCW and RCW 28A.47.440, as amended by this act, and deposited with the state treasurer for credit to the general fund.

NEW SECTION. Sec. 33. There is added to chapter 82.08 RCW a new section to read as follows:

(1) The tax levied by RCW 82.08.020 shall not apply to sales of food products for human consumption.

'Food products' include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

'Food products' include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

'Food products' include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of 'food products' provided for in this subsection shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

(2) Subsection (1) of this section notwithstanding, the retail sale of food products is subject to sales tax under RCW 82.08.020 if the food products are sold through a vending machine, and in this case the selling price for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

This subsection does not apply to hot prepared food products, other than food products which are heated after they have been dispensed from the vending machine.

For tax collected under this subsection, the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

NEW SECTION. Sec. 34. There is added to chapter 82.12 RCW a new section to read as follows:

The provisions of this chapter shall not apply in respect to the use of food products for human consumption.

'Food products' include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products.

'Food products' include milk and milk products, milk shakes, malted milks, and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation.

'Food products' include all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

The exemption of 'food products' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, except for food products furnished as meals under a state administered nutrition program for the aged as provided for in the Older American Act (P.L. 95-478 Title III) and RCW 74.38.040(6), or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments.

NEW SECTION. Sec. 35. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 36. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except that sections 28, 29, and 30 of this act shall take effect on May 1, 1982, and sections 33 and 34 of this act shall take effect on July 1, 1983.

Sections 28 and 29 of this act shall expire on July 1, 1983. The additional taxes imposed under this act shall take effect on the dates designated in this act notwithstanding the date this act becomes law under Article III, section 12 of the state Constitution."

Representatives Amen and Thompson spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Nelson (D).

Mr. Nelson (D): "Representative Amen, you've indicated that you feel this will broaden the base and, in the compromise, you have added a sunset date at the end of the biennium. I wonder how that squares with the comments and recommendations of those banking representatives from New York and the representatives from Seattle who indicated that it would be four or five years until we could expect our state's credit rating to turn around and be increased. If we sunset at the end of the biennium, it would seem to me that we're telling them we're not serious about maintaining a broadened base long enough to see it be in place when that time limit of four or five years comes up."

Mr. Amen: "Representative Nelson, I think adding something like this certainly is a better indication to the bankers in New York and other places that we're trying to accomplish what they are asking for. Even with the sunset, I think it's preferable to a surtax. Again, I think it's a preference and I think it's a better one even for the banks. I would think they would look at it with more favor than the other."

Mr. Nelson (D): "Do you have any indication from any representatives of either New York or Washington that it is more favorable?"

Mr. Amen: "Only what was given to us when the bankers were here."

Mr. Nelson (G) spoke in favor of the amendment to the amendment.

POINT OF PARLIAMENTARY INQUIRY

Mr. King (R): "If I recall correctly, the amendment Representative Nelson is referring to was made to an amendment which has just been deferred and is in limbo out there, or was it made to the original bill?"

The Speaker: "It was made to the Greengo amendment, I believe, Representative King."

Mr. King (R): "Then the amendment we have before us now is an amendment to the Greengo amendment?"

The Speaker: "Yes, it is."

Mr. King (R): "So the Ehlers' amendment is there and if this amendment passes, the Ehlers' amendment will still be in the bill?"

The Speaker: "If the Greengo amendment is adopted as amended by the Amen amendment before us and by the Ehlers' amendment, then that's what we will be voting on on final passage."

Representatives King (R) and Lux spoke against the amendment to the amendment.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Nisbet spoke in favor of the amendment to the amendment, and Ms. Rinehart spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Amen to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendment to the amendment was not adopted by the following vote: Yeas, 38; nays, 60; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Clayton, Dawson, Dickie, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Kreidler, Lewis, Lundquist, McGinnis, Nelson G. A., Nickell, Nisbet, Prince, Rosbach, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Berleen, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, James, Johnson, Kaiser, King J., King R., Leonard, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

MOTION FOR RECONSIDERATION

Mr. Patrick, having voted on the prevailing side, moved that the vote by which the Amen amendment to the Greengo amendment was not adopted, be reconsidered.

Mr. Nelson (G) spoke in favor of the motion.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the Amen amendment to the Greengo amendment was not adopted, and the motion was carried by the following vote: Yeas, 67; nays, 30; not voting, 1.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Kreidler, Leonard, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Scott, Smith, Sommers,

Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Garrett, Grimm, Heck, Hine, Kaiser, King J., King R., Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, Owen, Pruitt, Rinehart, Rust, Sherman, Valle, Walk, Wang.

Not voting: Representative Stratton.

Mr. Brown moved adoption of the following amendment by Representatives Brown, Nisbet, Stratton, Struthers, Owen, Monohon, Salatino, King (J), Gallagher, McCormick, Barrett, Bender, Lux, Garson, Lewis, King (R), McGinnis, Mitchell, Armstrong, Warnke, Erak, Valle, Galloway, North, James and Eberle to the Greengo amendment:

On page 29, following line 36 of the amendment add new sections as follows:

NEW SECTION. Sec. 31. For the purposes of this chapter:

- (1) 'Commission' shall mean the state gambling commission established by RCW 9.46.040;
- (2) 'Lottery' or 'state lottery' shall mean the lottery established and operated pursuant to this chapter;
- (3) 'Director' shall mean the director of the state gambling commission established by RCW 9.46.080.

NEW SECTION. Sec. 32. The state gambling commission shall provide such services as are required to carry out the provisions of this chapter. However, the costs of such services shall be paid for from moneys placed within the revolving fund created by section 55 of this act.

NEW SECTION. Sec. 33. In addition to the powers and duties enumerated in RCW 9.46.070 the commission shall have the power, and it shall be its duty:

(1) To promulgate such rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules may include, but shall not be limited to, the following:

(a) The type of lottery to be conducted which may include the selling of tickets or shares, or the use of electronic or mechanical devices or video terminals which do not require a printed ticket;

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares;

(e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the commission's option, may be paid in lump sum amounts or installments over a period of years;

(f) The frequency of the drawings or selections of winning tickets or shares, without limitation;

(g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;

(h) The method to be used in selling tickets or shares, which may include the use of electronic or mechanical devices and video terminals;

(i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among: (i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross income from such lottery, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross income from such lottery, (iii) for the repayment of any moneys appropriated to the state lottery fund pursuant to section 31 of this act, and (iv) for transfer to the state's general fund: PROVIDED, That no less than forty percent of the total revenues accruing from the sale of lottery tickets or shares shall be transferred to the state general fund;

(1) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(3) To advise and make recommendations to the director for the operation and administration of the lottery.

(4) To publish quarterly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding quarter, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as it deems necessary or desirable.

(5) To report immediately to the governor and the legislature any matters which shall require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(6) To carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that said law and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(7) To make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(8) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter as now adopted or hereafter amended.

NEW SECTION, Sec. 34. In addition to the powers and duties enumerated in RCW 9.46.080, the director shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission;

(2) Subject to the approval of the commission, appoint such assistant directors as may be required to carry out the functions and duties of his office: **PROVIDED**, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such assistant directors;

(3) Subject to the approval of the commission, appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: **PROVIDED**, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section;

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the revolving fund created by section 55 of this act;

(5) Confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery;

(6) Subject to the approval of the commission and the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: **PROVIDED**, That nothing in this chapter shall authorize the commission to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation; and

(7) Certify quarterly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

NEW SECTION, Sec. 35. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.

NEW SECTION, Sec. 36. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing such license the director shall consider such factors as: (1) The financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For purposes of this section, the term 'person' means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. 'Person' shall not be construed to mean or include any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof.

NEW SECTION, Sec. 37. Any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

NEW SECTION, Sec. 38. The commission may deny an application for, or suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such license may, however, be temporarily suspended by the director without prior notice, pending any prosecution, investigation, or hearing. A license may be suspended or revoked or an application may be denied by the commission for one or more of the following reasons:

(1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(2) For any of the reasons or grounds stated in RCW 9.46.075 or violation of the rules of the commission;

(3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;

(4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;

(5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs, or that public convenience is adequately served by other licensees;

(6) A material change, since issuance of the license with respect to any matters required to be considered by the director under section 36 of this act.

For the purpose of reviewing any application for a license and for considering the denial, suspension, or revocation of any license the gambling commission may consider any prior criminal conduct of the applicant or licensee and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases.

NEW SECTION. Sec. 39. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The commission and the director shall be discharged of all further liability upon payment of a prize pursuant to this section.

NEW SECTION. Sec. 40. A person shall not sell a ticket or share at a price greater than that fixed by rule of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to prevent any person from giving lottery tickets or shares to another as a gift.

Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 41. A ticket or share shall not be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by a person eighteen years of age or older to a person less than that age. Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen, and is convicted of such, shall be guilty of misdemeanor. In the event that a person under the age of eighteen years directly purchases a ticket in violation of this section, no prize will be paid and the prize money will be treated as unclaimed pursuant to section 18 of this act.

NEW SECTION. Sec. 42. A person shall not alter or forge a lottery ticket. A person shall not claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. A person shall not conspire, aid, abet, or agree to aid another person or persons to claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. Any person convicted of violating this section shall be guilty of a felony.

NEW SECTION. Sec. 43. Any person who conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license issued by the commission, and is convicted of such, shall be guilty of a felony. If any corporation conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license issued by the commission, it may be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section.

NEW SECTION. Sec. 44. Whoever, in any application for a license or in any book or record required to be maintained by the commission or in any report required to be submitted to the commission, shall make any false or misleading statement, or make any false or misleading entry or wilfully fail to maintain or make any entry required to be maintained or made, or who wilfully refuses to produce for inspection by the commission, or its designee, any book, record, or document required to be maintained or made by federal or state law, and is convicted of such, shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 45. Any person who violates any provision of this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter, and is convicted of such, shall be guilty of a class C felony, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 46. Any person who violates any rule adopted pursuant to this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any rule adopted pursuant to this chapter, and is convicted of such, shall be guilty of a gross misdemeanor, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 47. A ticket or share shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission. Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 48. Unclaimed prize money for the prize on a winning ticket or share shall be retained in the state lottery fund for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall be retained in the state lottery fund for distribution pursuant to section 3 of this act and all rights to the prize shall be extinguished.

NEW SECTION. Sec. 49. The director, in his discretion, may require any or all lottery sales agents to deposit to the credit of the state lottery fund in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation.

for the sale of the tickets or shares, and to file with the director or his designated agents, reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he or she may deem advisable pursuant to this chapter and the rules of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

NEW SECTION. Sec. 50. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or shares performed pursuant to this chapter.

NEW SECTION. Sec. 51. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is less than five thousand dollars, the director may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is five thousand dollars or more, the director may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington uniform gifts to minors act, chapter 21.24 RCW, and for the purposes of this section the terms 'adult member of a minor's family,' 'guardian of a minor,' and 'bank' shall have the same meaning as in chapter 21.24 RCW. The commission and the director shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

NEW SECTION. Sec. 52. There is hereby created and established a separate fund, to be known as the state lottery fund. Such fund shall be managed, maintained, and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. The fund shall be a separate fund outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the fund.

NEW SECTION. Sec. 53. The moneys in the state lottery fund shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into the reserve account created by section 54 of this act and into the revolving fund created by section 55 of this act; (3) for purposes of making deposits into the state's general fund; and (4) for the repayment to the state's general fund of the amount appropriated to the fund pursuant to section 31 of this act.

NEW SECTION. Sec. 54. In the event the commission decides to pay any portion of or all of the prizes in the form of installments over a period of years, it shall provide for the payment of all such installments by one, but not both, of the following methods:

(1) It may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) It may establish and maintain a reserve account into which shall be placed sufficient moneys for the director to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 55. There is hereby created a revolving fund into which the commission shall deposit sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery: PROVIDED, That the amount deposited in such revolving fund shall never exceed fifteen percent of the total revenues accruing from the sale of lottery tickets or shares. Such revolving fund shall be managed, controlled, and maintained by the commission and shall be a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 56. Each member of the commission shall receive compensation of fifty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the director.

NEW SECTION. Sec. 57. The provisions of the administrative procedure act, chapter 34.04 RCW, shall apply to administrative actions taken by the commission or the director pursuant to this chapter.

NEW SECTION. Sec. 58. The state auditor shall conduct an annual post-audit of all accounts and transactions of the lottery and such other special post-audits as he may be directed to conduct pursuant to chapter 43.09 RCW.

NEW SECTION. Sec. 59. This chapter shall expire five years after the effective date of this act, unless extended by law. The legislative budget committee shall evaluate the effectiveness of this chapter. The final report of the evaluation shall be available to the legislature at least six months prior to the scheduled termination date. The report shall include, but is not limited to, objective findings of fact, conclusions, and recommendations as to continuation, modification, or termination of this chapter.

NEW SECTION. Sec. 60. Sections 31 through 59 of this act shall be liberally construed to carry out the purposes and policies of the act.

NEW SECTION. Sec. 61. There is hereby appropriated to the state lottery fund from the state general fund the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, for carrying out the purposes of creating the lottery provided for in sections 31 through 58 of this act and in carrying out such functions and duties pursuant to said sections 31 through 58 of this act. Such appropriation

shall be repaid to the general fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery.

NEW SECTION. Sec. 62. Sections 31 through 59 of this act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 63. There is added to chapter 9.46 RCW a new section to read as follows:

The provisions of this chapter, as now or hereafter amended, shall not apply to the conducting, operating, participating, or selling or purchasing of tickets or shares in the 'lottery' or 'state lottery' as defined in section 1 of this act when such conducting, operating, participating, or selling or purchasing is in conformity to the provisions of sections 31 through 59 of this act and to the rules adopted thereunder.

NEW SECTION. Sec. 64. Sections 31 through 63 of this act shall be submitted to the people for their adoption and ratification by not less than sixty percent affirmative vote of the electors voting thereon, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next state-wide election to be held in this state, all in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Greengo: "Mr. Speaker, I would raise the question of scope and object on this amendment."

SPEAKER'S RULING

The Speaker: "Representative Greengo, the bill deals with Title 82 RCW, revenue and taxation. The amendment that has been placed before us deals with Title 9, which deals with gambling. In looking at the title amendment, it also deals with Title 67, which is the Gambling Commission, but does not deal in any part with the section on revenue and taxation. On that point, I would rule that your point of order is well taken. The amendment is beyond the scope and object of the bill."

The Speaker stated the question before the House to be reconsideration of the amendment by Representatives Flanagan and Amen to the Greengo amendment.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representatives Flanagan and Amen to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendment was not adopted by the following vote: Yeas, 32; nays, 66; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bickham, Bond, Clayton, Fancher, Flanagan, Garson, Hankins, Houchen, Isaacson, Kreidler, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nickell, Prince, Rosbach, Smith, Sprague, Struthers, Taylor, Thompson, Tilly, Tupper, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender; Berleen, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Hastings, Heck, Hine, James, Johnson, Kaiser, King J., King R., Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Pruitt, Rinehart, Rust, Salatin, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Teutsch, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

The Speaker stated the question now before the House to be reconsideration of the Amen amendment to the Greengo amendment.

Representatives Amen, Patrick, Garson, Tupper, and McGinnis spoke in favor of the amendment to the amendment, and Representatives Nelson (D), Rinehart and Brown spoke against it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. Bender spoke against the amendment to the amendment, and Ms. Teutsch spoke in favor of it.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Valle.

Ms. Valle: "Representative Greengo, have we had hearings in the Revenue Committee this session on putting the sales tax on food?"

Mr. Greengo: "Very frankly, Representative Valle, at this time of the night, I'm hard put to tell you what we have heard in Revenue Committee. We've heard just about everything. I don't believe we have heard this, nor have we heard the surtax either. We're probably going to

have to vote on both of them. We've talked about them an awful lot and so I guess it's kind of irrelevant, isn't it."

Ms. Valle spoke against the amendment to the amendment, and Mr. Dawson spoke in favor of it.

Mr. Struthers demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Amen to the Greengo amendment to Engrossed Senate Bill No. 4250, and the amendment was not adopted by the following vote: Yeas, 39; nays, 59; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Bickham, Clayton, Dawson, Dickie, Ellis, Fancher, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, Kreidler, Lewis, Lundquist, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Berleen, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ehlers, Eng, Erak, Fiske, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, James, Johnson, Kaiser, King J., King R., Leonard, Lux, Martinis, Maxie, McCormick, McDonald, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley.

MESSAGE FROM THE SENATE

April 8, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, except for the following:

On page 1, line 14 after "leave" insert ": PROVIDED FURTHER, That this section shall not apply to any employee covered by chapter 41.26 RCW"

and

Page 2, after line 27 inserting NEW SECTIONS 3, 4, 5, 6, 7, 8, 9, 10 and 11, and the title amendment thereto, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Williams moved that the House recede from the amendment to page 1, line 14.

Representatives Patrick and Thompson spoke against the motion, and Mr. Williams spoke in favor of it.

Mr. Brown demanded an electric roll call vote and the demand was sustained.

Mr. King (R) spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendment to page 1, line 14 of Engrossed Substitute Senate Bill No. 5007, and the motion was lost by the following vote: Yeas, 40; nays, 58; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Berleen, Bond, Cantu, Chamberlain, Chandler, Clayton, Dickie, Ellis, Fancher, Fiske, Flanagan, Galloway, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lundquist, McDonald, McGinnis, Nelson G. A., Nickell, Padden, Prince, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cole, Dawson, Eberle, Ehlers, Eng, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., Nisbet, North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Sommers, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

MOTION

Mr. Williams moved that the House recede from its amendment to page 2, line 27.

Mr. Williams spoke in favor of the motion, and Representatives Thompson and Ehlers spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendment to page 2, line 27 of Engrossed Substitute Senate Bill No. 5007, and the motion was lost by the following vote: Yeas, 49; nays, 49; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Taylor, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

MOTION FOR RECONSIDERATION

Mr. Tupper moved that the House reconsider the vote by which the House refused to recede from its amendment to page 2, line 27, and the motion was carried by the following vote: Yeas, 52; nays, 46; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

The Speaker stated the question before the House to be reconsideration of the motion that the House do recede from its amendment to page 2, line 27.

Representatives Taylor, Addison and Barnes spoke in favor of the motion, and Representatives Ehlers and Lux spoke against it.

Mr. Taylor spoke again in favor of the motion.

ROLL CALL

The Clerk called the roll on reconsideration of the motion that the House do recede from its amendment to page 2, line 27 of Engrossed Substitute Senate Bill No. 5007, and the motion was carried by the following vote: Yeas, 53; nays, 45; not voting, 0.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Sanders, Schmidt, Smith, Sommers, Sprague, Struthers, Taylor, Tilly, Tupper, Van Dyken, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Garson, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, North, O'Brien, Owen, Pruitt, Rinehart, Rosbach, Rust, Salatino, Scott, Sherman, Stratton, Teutsch, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Mr. Williams moved that the House insist on its position with regard to the amendment to page 1, line 14.

Mr. Patrick spoke in favor of the motion, and Mr. Barnes spoke against it.

The motion was carried.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
SECOND SUBSTITUTE HOUSE BILL NO. 906.

MOTION

Mr. Nelson (D) moved that the Committee on Energy and Utilities be relieved of ENGROSSED SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 111, and it be placed on the second reading calendar.

Mr. Nelson (D) spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Nelson (G): "Mr. Speaker, Engrossed Senate Concurrent Resolution No. 150 had specific items with regard to what this legislature would address in a special session. Would you inform the body whether or not Senate Joint Resolution No. 111 would fall under any of the categories, such as reorganization, fiscal issues, bills necessary for the implementation of budget, bills in dispute, ferry legislation and resolutions and matters relating to the operation of the legislature?"

The Speaker: "It doesn't sound like it would, Representative Nelson."

Mr. Nelson (G): "Mr. Speaker, I would then ask the Chair whether or not that motion would be in order to be placed before this body?"

The Speaker: "Representative Nelson, if you are asking specifically if this would somehow be part of Washington Public Power Supply System because it's related to energy, the answer is 'No.'"

ROLL CALL

The Clerk called the roll on the motion that the Committee on Energy and Utilities be relieved of Engrossed Second Substitute Senate Joint Resolution No. 111, and be placed on the second reading calendar, and the motion was lost by the following vote: Yeas, 42; nays, 56; not voting, 0.

Voting yea: Representatives Armstrong, Barnes, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Monohon, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Scott, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Addison, Amen, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

The House resumed consideration of Engrossed Senate Bill No. 4250.

Mr. Greengo moved adoption of the following amendment to the Greengo amendment:

On page 24, line 2 after "amount of" strike "ten" and insert "eight"

Beginning on page 28, line 33 strike all material down to and including line 36 on page 29 and insert:

"(1) Until and including the day before the change date, the rate of the sales and use taxes under section 1 of this act shall be five and nine-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be eight percent.

(2) From and after the change date until and including the thirtieth day of June, 1983, the rate of tax shall be as follows:

(a) If the November revenue collections are less than \$3,075,000,000, the rate of sales and use taxes under section 1 of this act shall be six and one-tenth percent and the rate of the additional taxes under sections 2 through 24 of this act shall be ten percent.

(b) If the November revenue collections equal or exceed \$3,075,000,000 and are less than \$3,100,000,000 the rate of sales and use taxes under section 1 of this act shall be five and nine-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be eight percent.

(c) If the November revenue collections equal or exceed \$3,100,000,000 and are less than \$3,125,000,000, the rate of sales and use taxes under section 1 of this act shall be five and eight-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be five percent.

(d) If the November revenue collections equal or exceed \$3,125,000,000, the rate of sales and use taxes under section 1 of this act shall be five and five-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be zero percent.

(3) As used in this section:

(a) 'November revenue collections' means revenues, penalties, and interest actually collected for credit to the fiscal biennium beginning July 1, 1981, for the taxes imposed under the following statutes, as amended by this act, and deposited with the state treasurer for credit to the general fund during the period beginning July 1, 1981, and ending with the specified date:

(i) Chapters 82.04, 82.08, 82.12, 82.16, and 82.26 RCW: November 10, 1982.

(ii) Chapters 82.24 and 82.45 RCW, and RCW 28A.47.440: October 31, 1982.

(b) 'Change date' for the taxes under sections 1 through 9 and 12 through 24 of this act means December 1, 1982; and for the taxes under section 10 and 11 of this act means January 1, 1983."

Mr. Greengo spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Greengo yielded to question by Ms. Rust.

Ms. Rust: "Representative Greengo, after line 10 (b), it says, 'If the November revenue collections equal or exceed \$3,075,000,000 and are less than \$3,100,000,000...' and you have 'the rate will be five and nine-tenths percent and the rate of the additional taxes under sections 2 through 24 of this act shall be eight percent.' That is the same, I believe, as it is above. Do you mean to have it that way?"

Mr. Greengo: "Yes. That is the median money that fits our revenue projections. That says the sales tax will stay at five and nine-tenths percent, which is an eight percent surcharge. If you take 5.5 and multiply it by 1.08 you come up with 5.94, rounded off to the nearest tenth is 5.9 percent, but all of the other taxes that are included under the surcharge are at eight percent and they stay there."

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Greengo, you made a statement that the Department of Revenue could notify all the stores in time so the rate could be changed. I thought this included all these taxes and not just the sales tax."

Mr. Greengo: "Representative Flanagan, whatever business entities, or whoever is paying a sales tax, will have that period between November 10 when we close the books until December 1 to change."

Mr. Flanagan: "I thought this figure applied to all the taxes—B&O, utilities and real estate?"

Mr. Greengo: "I was using the word 'stores' in the generic sense. All of those who are paying a sales tax will be notified of that change, or if they are collecting other taxes, such as the cigarette tax or the liquor tax, they would also be notified that there is a change of rate. It could change or it could stay the same."

Mr. Flanagan: "Don't any of the others—real estate, excise, electric utilities, PUD's—don't they change, too?"

Mr. Greengo: "Of course they do. I said I was using the word 'stores' in a generic sense of all those entities that will be paying the tax."

The amendment to the amendment was adopted.

The Greengo amendment as amended was adopted.

On motion of Mr. Nelson (G), the following amendment to the title was adopted:

On page 1, line 1 of the title after "taxation;" strike the remainder of the title and insert: "amending section 5, chapter 91, Laws of 1947 as last amended by section 1, chapter 42, Laws of 1967 and RCW 41.16.050; amending section 3, chapter 261, Laws of 1945 as last amended by section 26, chapter 3, Laws of 1981 and RCW 41.24.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1979 ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 2, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. and RCW 54.28.025; amending section 4, chapter 278, Laws of 1957 as amended by section 31, chapter 278, Laws of 1975 1st ex. sess. and RCW 54.28.040; amending section 5, chapter 278, Laws of 1957 as last amended by section 8, chapter 154, Laws of 1980 and RCW 54.28.050; amending section 7, chapter 366, Laws of 1977 ex. sess. as amended by section 165, chapter 151, Laws of 1979 and RCW 54.28.055; amending section 73, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 6, Laws of 1961 ex. sess. and RCW 66.08.170; amending section 24-A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 12, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last

amended by section 16, chapter 5, Laws of 1981 1st ex. sess. and RCW 66.24.290; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 324, Laws of 1977 ex. sess. and RCW 82.04.2901; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 8, Laws of 1981 2nd ex. sess. and RCW 82.08.020; amending section 82.08.100, chapter 15, Laws of 1961 as amended by section 50, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.08.100; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 25, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as last amended by section 26, chapter 5, Laws of 1981 1st ex. sess. and RCW 82.08.160; amending section 82.12.070, chapter 15, Laws of 1961 as amended by section 55, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.12.070; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 12, chapter 299, Laws of 1971 ex. sess. and RCW 82.16.020; amending section 82.16.030, chapter 15, Laws of 1961 and RCW 82.16.030; amending section 82.20.010, chapter 15, Laws of 1961 and RCW 82.20.010; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 172, Laws of 1981 and RCW 82.24.020; amending section 82.26.020, chapter 15, Laws of 1961 as last amended by section 71, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.26.020; amending section 2, chapter 98, Laws of 1980 and RCW 82.27.020; amending section 3, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.030; amending section 1, chapter 7, Laws of 1981 as amended by section 7, chapter 172, Laws of 1981 and RCW 82.32.045; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 222, Laws of 1981 and RCW 82.44.020; amending section 82.44.110, chapter 15, Laws of 1961 as last amended by section 235, chapter 158, Laws of 1979 and RCW 82.44.110; amending section 1, chapter 87, Laws of 1972 ex. sess. as last amended by section 4, chapter 175, Laws of 1979 ex. sess. and RCW 82.44.150; amending section 28A.45.060, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 154, Laws of 1980 and RCW 82.45.060; adding a new section to chapter 82.02 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing section 49, chapter 37, Laws of 1980, section 3, chapter 86, Laws of 1980, section 1, chapter 18, Laws of 1981 and RCW 82.08.0284; repealing section 76, chapter 37, Laws of 1980, section 4, chapter 86, Laws of 1980 and RCW 82.12.0278; providing effective dates; providing an expiration date; and declaring an emergency.*

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Mr. Brown demanded an oral roll call vote and the demand was sustained.

Mr. Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4250 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 27; nays, 68; not voting, 3.

Voting yea: Representatives Barnes, Becker, Cantu, Chandler, Dawson, Ellis, Fiske, Greengo, Hastings, Houchen, Johnson, McDonald, Mitchell, Nelson G. A., Nisbet, Patrick, Prince, Rosbach, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barr, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Clayton, Cole, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, James, Kaiser, King J., King R., Kriedler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Monohon, Nelson D., Nickell, North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatin, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Thompson, Tupper, Valle, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Berleen, Dickie, Isaacson.

Engrossed Senate Bill No. 4250 as amended by the House, having failed to receive the constitutional majority, was declared lost.

POINT OF PARLIAMENTARY INQUIRY

Mr. Van Dyken: "Mr. Speaker, having voted on the prevailing side by which the amendment which imposes the sales tax on food failed to pass, is it now possible for me to move for reconsideration of that amendment?"

The Speaker: "Since we have now advanced to third reading, we have taken action in consequence of that motion, Representative Van Dyken, so the only way you could do that would be have the bill first reconsidered and back before us on third reading and then suspend the rules to return it to second reading."

MOTION FOR RECONSIDERATION

Mr. Sprague, having voted on the prevailing side, moved that the House reconsider the vote by which Engrossed Senate Bill No. 4250 as amended by the House, failed to pass the House.

The motion was carried.

Mr. Heck demanded an oral roll call and the demand was sustained.

Representatives Fancher and Bond spoke against passage of the bill, and Mr. Nelson (D) spoke in favor of it.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Senate Bill No. 4250 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 32; nays, 65; not voting, 1.

Voting yea: Representatives Barnes, Becker, Cantu, Chandler, Dawson, Ellis, Fiske, Greengo, Hastings, Houchen, Isaacson, Johnson, McDonald, Mitchell, Nelson D., Nelson G. A., Nisbet, Patrick, Prince, Rosbach, Salatino, Sprague, Struthers, Taylor, Teutsch, Tilly, Van Dyken, Vander Stoep, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Amen, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Chamberlain, Clayton, Cole, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, James, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Monohon, Nickell, North, Owen, Padden, Pruitt, Rinehart, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Stratton, Thompson, Tupper, Valle, Walk, Wang, Winsley.

Not voting: Representative O'Brien.

Engrossed Senate Bill No. 4250 as amended by the House, having failed to receive the constitutional majority, was declared lost.

MOTIONS

On motion of Mr. Ehlers, the rules were suspended and Engrossed Senate Bill No. 4250 as amended by the House was placed on the calendar for reconsideration of final passage.

On motion of Mr. Nelson (G), the rules were suspended and Engrossed Senate Bill No. 4250 as amended by the House was returned to second reading.

On motion of Mr. Nelson (G), the rules were suspended, and the amendment by Representative Greengo as amended was placed on reconsideration.

On motion of Mr. Nelson (G), the rules were suspended, and the amendment by Representative Amen to the Greengo amendment was placed on reconsideration.

Mr. Lux spoke against the Amen amendment to the amendment.

The amendment to the amendment was adopted.

The Greengo amendment as amended was adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4250 as reamended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 48; not voting, 0.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Becker, Bickham, Cantu, Chamberlain, Clayton, Dawson, Dickie, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Greengo, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, King J., Lewis, Lundquist, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Smith, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Bender, Berleen, Bond, Brekke, Brown, Burns, Chandler, Cole, Eberle, Ehlers, Eng, Erak, Gallagher, Garrett, Granlund, Grimm, Hine, James, Kaiser, King R., Kreidler, Leonard, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Sommers, Stratton, Valle, Walk, Wang, Warnke.

Engrossed Senate Bill No. 4250 as reamended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 1:30 p.m., Saturday, April 10, 1982.

WILLIAM M. POLK, Speaker

PATRICIA WILLIAMS, Chief Clerk

THIRTIETH DAY**AFTERNOON SESSION**

House Chamber, Olympia, Wash., Saturday, April 10, 1982.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Owen and Salatino.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jay Stewart and Steve Princehouse. Prayer was offered by The Reverend Frank L. Accardy, Minister of the Emmanuel Baptist Church of Olympia.

Reading of the Journal of the preceding day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE GOVERNOR

April 9, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 9, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 736: Relating to state employees.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

April 9, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4972,
ENGROSSED SENATE BILL NO. 4995,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3783, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3783,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3783.

INTRODUCTIONS AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 52, by Representatives Eberle, King (R), Prince and Walk:

Prescribing procedures for legislative review of agency rules.

HOUSE CONCURRENT RESOLUTION NO. 53, by Representatives Nelson (G) and Ehlers:

Providing plans for organization of interim activities of the legislature.

ENGROSSED SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finance.

ENGROSSED SENATE BILL NO. 4995, by Senator Gould:

Relating to joint operating agencies.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and the bills and resolutions listed on today's agenda under the fourth order of business were advanced to second reading and read the second time in full.

SENATE AMENDMENTS TO HOUSE BILL

March 21, 1982

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 795 with the following amendments:

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. There is added to chapter 39.12 RCW a new section to read as follows:

The department of labor and industries may charge fees to awarding agencies on public works for the approval of statements of intent to pay prevailing wages and the certification of affidavits of wages paid. The department may also charge fees to persons or organizations requesting the arbitration of disputes under RCW 39.12.060. The amount of the fees shall be established by rules adopted by the department under the procedures in the administrative procedure act, chapter 34.04 RCW. The fees shall apply to all approvals, certifications, and arbitration requests made after the effective date of the rules. All fees shall be deposited in the general fund. The department may refuse to arbitrate for contractors, subcontractors, persons, or organizations which have not paid the proper fees. The department may, if necessary, request the attorney general to take legal action to collect delinquent fees.

The department shall set the fees permitted by this section at a level that generates revenue that is as near as practicable to the amount of the appropriation to carry out the activities specified in this section.

NEW SECTION. Sec. 2. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of seven hundred fifty-four thousand dollars, or so much thereof as may be necessary, to carry out the purposes of the industrial relations division.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, beginning on line 2 of the title after "39.12 RCW;" strike all material down through "49.12.123;" on line 5 and insert "making an appropriation;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House concurred in the Senate amendments to Engrossed House Bill No. 795.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 795 as amended by the Senate.

Mr. Nelson (G) spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 795 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 18; not voting, 14.

Voting yea: Representatives Addison, Armstrong, Barrett, Becker, Berleen, Bickham, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ehlers, Ellis, Fiske, Gallagher, Galloway, Garson, Granlund, Greengo, Hankins, Heck, Houchen, James, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Padden, Patrick, Pruitt, Rust, Schmidt, Scott, Sherman, Sommers, Sprague, Stratton, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Barr, Bond, Clayton, Dickie, Fancher, Flanagan, Garrett, Hastings, Hine, Leonard, McGinnis, Nickell, Prince, Rosbach, Smith, Struthers.

Not voting: Representatives Bender, Brown, Dawson, Eng, Erak, Grimm, Isaacson, Maxie, Owen, Rinehart, Salatino, Sanders, Teutsch, Winsley.

Engrossed House Bill No. 795 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

March 25, 1982

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 796 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Section 1. There is added to chapter 49.04 RCW a new section to read as follows:

(1) The department of labor and industries may charge fees for the registration of individual apprenticeship or training agreements. The department may also charge fees for the registration of apprenticeship or training standards by employers, apprenticeship committees, or other organizations sponsoring apprenticeship or training programs. The fees for registration of individual apprenticeship agreements shall be paid either by the apprentice or by the program sponsor.

(2) The amount of the fees shall be established by rules adopted by the department under the procedures in the administrative procedure act, chapter 34.04 RCW. The fees shall apply to all registrations that are in effect or made after the effective date of the rules. All fees shall be deposited in the general fund.

(3) The department shall set the fees permitted by this chapter at a level that generates revenue that is not less than fifty percent of the appropriation for the apprenticeship division for each biennium.

(4) The department may refuse to register or amend apprenticeship or training standards or agreements for which the proper fees have not been paid. The department may suspend or terminate the existing registration of any apprenticeship agreements or standards for which the proper fees have not been paid. The department may, if necessary, request the attorney general to take legal action to collect any delinquent fees.

Sec. 2. Section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.010 are each amended to read as follows:

The director of labor and industries shall appoint an apprenticeship council, composed of three representatives each from employer and employee organizations, respectively. The terms of office of the members of the apprenticeship council first appointed by the director of labor and industries shall be as follows: One representative each of employers and employees shall be appointed for one year, two years, and three years, respectively. Thereafter, each member shall be appointed for a term of three years. The governor shall appoint a public member to the apprenticeship council for a three-year term. The appointment of the public member is subject to confirmation by the senate. Each member shall hold office until his successor is appointed and has qualified and any vacancy shall be filled by appointment for the unexpired portion of the term. The state official who has been designated by the commission for vocational education as being in charge of trade and industrial education and the state official who has immediate charge of the state public employment service shall ex officio be members of said council, without vote. Each member of the council, not otherwise compensated by public moneys, shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended and shall be paid not more than twenty-five dollars for each day spent in attendance at meetings of the council. The apprenticeship council with the consent of employee and employer groups shall: (1) Establish standards for apprenticeship agreements in conformity with the provisions of this chapter; (2) issue such rules and regulations as may be necessary to carry out the intent and purposes of this chapter, including a procedure to resolve an impasse should a tie vote of the council occur; and (3) perform such other duties as are hereinafter imposed. Not less than once a year the apprenticeship council shall make a report to the director of labor and industries of its activities and findings which shall be available to the public.

NEW SECTION. Sec. 3. There is appropriated to the department of labor and industries from the general fund for the biennium ending June 30, 1983, the sum of five hundred thirty-four thousand dollars, or so much thereof as may be necessary, to carry out the purposes of chapter 49.04 RCW.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "apprenticeship," strike the remainder of the title and insert "amending section 1, chapter 231, Laws of 1941 as last amended by section 1, chapter 37, Laws of 1979 ex. sess. and RCW 49.04.010; adding a new section to chapter 49.04 RCW; making an appropriation; and declaring an emergency."

and the same is herewith transmitted.

Marilyn Brachtenbach, Secretary.

MOTION

Mr. Nelson (G) moved that the House do concur in the Senate amendments to Engrossed House Bill No. 796.

Representatives Nelson (G), Lux, Patrick and King (J) spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 796 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 796 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 8; not voting, 11.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, James, Johnson, Kaiser, King J., King R., Leonard, Lewis, Lundquist, Lux, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Ehlers, Garrett, Hine, Kreidler, North, Prince, Wang, Warnke.

Not voting: Representatives Bender, Brown, Dawson, Eng, Isaacson, Maxie, Owen, Rinehart, Salatino, Teutsch, Winsley.

House Bill No. 796 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I was absent from the floor at the time the vote was taken on House Bill No. 795 and House Bill No. 796. Please let the record show that I would have voted "Aye" on both measures. Thank you very much.

RAY ISAACSON, 8th District.

MESSAGE FROM THE SENATE

April 10, 1982

Mr. Speaker:

The Senate has concurred in all of the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 5007, with the exception of the amendment on page 2, after line 27 inserting NEW SECTIONS 3, 4, 5, 6, 7, 8, 9, 10 and 11, and the title amendment thereto, from which the House has receded, and has passed the bill without said amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5007 without certain House amendments.

Representatives Williams and Nisbet spoke in favor of the bill, and Representatives Kreidler and Garson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5007 without certain House amendments, and the bill passed the House by the following vote: Yeas, 73; nays, 17; not voting, 8.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Berleen, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Galloway, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Kaiser, King J., King R., Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, Padden, Prince, Pruitt, Rinehart, Rust, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Walk, Wang, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bickham, Gallagher, Garrett, Garson, Johnson, Kreidler, Leonard, Lewis, Lux, North, O'Brien, Patrick, Rosbach, Scott, Sherman, Vander Stoep, Warnke.

Not voting: Representatives Bender, Brown, Dawson, Eng, Maxie, Owen, Salatino, Winsley.

Engrossed Substitute Senate Bill No. 5007 without certain House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

April 10, 1982

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 906,
SUBSTITUTE SENATE BILL NO. 5007,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 5007.

SENATE AMENDMENTS TO HOUSE BILL

April 9, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217 with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise, words and phrases shall mean:

'District' means a public utility district as created under the laws of the state of Washington authorized to engage in the business of generating and/or distributing electricity.

'City' means any city or town in the state of Washington authorized to engage in the business of generating and/or distributing electricity.

'Canada' means Canada or any province thereof.

'Operating agency' or 'joint operating agency' means a municipal corporation created pursuant to RCW 43.52.360, as now or hereafter amended.

'Board of directors' means the board established under RCW 43.52.370.

'Executive board' means the board established under RCW 43.52.374.

'Board' means the board of directors of the joint operating agency unless the operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, in which case 'board' means the executive board.

'Public utility' means any person, firm or corporation, political subdivision or governmental subdivision including cities, towns and public utility districts engaged in or authorized to engage in the business of generating, transmitting or distributing electric energy.

'Revenue bonds or warrants' means bonds, notes, bond anticipation notes, warrants, certificates of indebtedness, commercial paper, refunding or renewal obligations, payable from a special fund or revenues of the utility properties operated by the joint operating agency.

Sec. 2. Section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion, rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: PROVIDED, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency as is provided in RCW 43.52.290: PROVIDED, That the per diem compensation to any member shall not exceed five thousand dollars in any year except for board members who are elected to serve on an executive board established under RCW 43.52.374, in which case per diem compensation to any member shall not exceed ten thousand dollars in any year.

(2) If an operating agency is constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the powers and duties of the board of directors shall include and are limited to the following:

(a) Final authority on any decision of the operating agency to purchase, acquire, construct, ~~((or sell)) terminate, or decommission~~ any power plants, works, and facilities except that once the board of directors has made a final decision regarding a nuclear power plant, the executive board established under RCW 43.52.374 shall have the authority to make all subsequent decisions regarding the plant and any of its components; and

(b) ~~((Acceptance or rejection of bids or offers for bonds and the sale and issuance of bonds. PROVIDED, That the board may delegate this authority to the executive board;~~

(c) Appointment of a treasurer under RCW 43.52.375;

(d) Election of members to and removal from the executive board under RCW 43.52.374(1)(a)((;

(e) Approve annual budgets submitted by the executive board; and

(f) ~~Select, appoint, and establish the compensation of the outside directors as provided in RCW 43.52.374).~~

All other powers and duties of the operating agency, including without limitation authority for all actions subsequent to final decisions by the board of directors, including but not limited to the authority to sell any power plant, works, and facilities are vested in the executive board established under RCW 43.52.374.

Sec. 3. Section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374 are each amended to read as follows:

(1) With the exception of the powers and duties of the board of directors described in RCW 43.52.370(2), the management and control of an operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement under chapter 80.50 RCW is vested in an executive board established under this subsection and consisting of eleven members.

(a) Seven members of the executive board shall be elected to four-year terms by the board of directors from among the members of the board of directors. The board of directors may provide by rule for the composition of the seven members of the executive board elected from among the members of the board of directors so as to ~~((afford fair representation which reflects))~~ reflect the member public utility districts' and cities' participation in the joint operating agency's projects. The board of directors may also provide by rule for the removal of a member of the executive board, ~~((including))~~ except for the outside directors. Members of the board of directors may be elected to serve successive terms on the executive board.

(b) Four members of the executive board shall be outside directors and shall be selected and appointed by the ~~((board of directors))~~ governor and confirmed by the senate. The outside directors shall:

(i) Serve four-year terms on the executive board. However, of the initial members of the executive board, the ~~((board of directors shall choose by lot))~~ governor shall appoint two outside directors to serve two-year terms and two to serve four-year terms. Thereafter, all outside directors shall be appointed for four-year terms. All outside directors are eligible for reappointment;

(ii) Receive per diem compensation and travel expenses on the same basis as the seven members elected from the board of directors. The outside directors ~~((may be paid additional compensation as established by the board of directors))~~ shall also receive a salary from the operating agency as fixed by the governor;

(iii) Not be an officer or employee of, or in any way affiliated with, the Bonneville power administration or any electric utility conducting business in the states of Washington, Oregon, Idaho, or Montana;

(iv) Not be involved in the financial affairs of the operating agency as an underwriter or financial adviser of the operating agency or any of its members or any of the participants in any of the operating agency's plants; and

(v) Be representative of policy makers in business, finance, or science, or ~~((be recognized experts))~~ have expertise in the construction or management of such facilities as the operating agency is constructing or operating, or have expertise in the termination, disposition, or liquidation of corporate assets.

(c) ~~((The president of the board of directors shall be a nonvoting member of the executive board and shall serve as the presiding officer of the executive board.))~~ The governor may remove outside directors from the executive board for incompetency, misconduct, or malfeasance in office in the same manner as state appointive officers under chapter 43.06 RCW. For purposes of this subsection, misconduct shall include, but not be limited to, nonfeasance and misfeasance.

(2) Nothing in this chapter shall be construed to mean that an operating agency is in any manner an agency of the state. Nothing in this chapter alters or destroys the status of an operating agency as a separate municipal corporation or makes the state liable in any way or to any extent for any preexisting or future debt of the operating agency or any present or future claim against the agency.

(3) The eleven members of the executive board shall be selected with the objective of establishing an executive board which has the resources to effectively carry out its responsibilities. ~~((To the extent reasonably possible, the membership and operation of the executive board should be patterned after boards of directors of large private corporations.))~~ All members of the executive board shall conduct their business in a manner which in their judgment is in the interest of all ratepayers affected by the joint operating agency and its projects.

(4) The executive board shall elect from its members a chairman, vice chairman, and secretary, who shall serve at the pleasure of the executive board. The executive board shall adopt rules for the conduct of its meetings and the carrying out of its business. All proceedings shall be by motion or resolution and shall be

recorded in the minute book, which shall be a public record. A majority of the executive board shall constitute a quorum for the transaction of business.

(5) With respect to any operating agency existing on (~~(July 28, 1981)~~) the effective date of this 1982 act, to which the provisions of this section are applicable:

(a) The board of directors shall elect seven members to the executive board no later than sixty days after (~~(July 28, 1981)~~) the effective date of this 1982 act; and

(b) The (~~(board of directors)~~) governor shall select and appoint the initial outside directors and the executive board shall hold its organizational meeting no later than (~~(ninety)~~) sixty days after (~~(July 28, 1981)~~) the effective date of this 1982 act, and the powers and duties prescribed in (~~(RCW 43.52.375, 43.52.378, and this section)~~) this chapter shall devolve upon the executive board at that time.

(6) The executive board shall select and employ a managing director of the operating agency and may delegate to the managing director such authority for the management and control of the operating agency as the executive board deems appropriate. The managing director's employment is terminable at the will of the executive board.

(7) (~~(Any executive board created under this section shall cease to function upon the initiation of regular operations of the nuclear power plant over which it has exercised construction management powers and duties. If the operating agency is constructing two or more nuclear power plants simultaneously, the executive board shall cease exercising all powers as to each plant as it becomes operational.))~~ Members of the executive board shall be immune from civil liability for mistakes and errors of judgment in the good faith performance of acts within the scope of their official duties involving the exercise of judgment and discretion. This grant of immunity shall not be construed as modifying the liability of the operating agency.

The operating agency shall undertake the defense of and indemnify each executive board member made a party to any civil proceeding including any threatened, pending, or completed action, suit, or proceeding, whether civil, administrative, or investigative, by reason of the fact he or she is or was a member of the executive board, against judgments, penalties, fines, settlements, and reasonable expenses, actually incurred by him or her in connection with such proceeding if he or she had conducted himself or herself in good faith and reasonably believed his or her conduct to be in the best interest of the operating agency.

In addition members of the executive board who are utility employees shall not be fired, forced to resign, or demoted from their utility jobs for decisions they make while carrying out their duties as members of the executive board involving the exercise of judgment and discretion.

NEW SECTION. Sec. 4. (1) All personnel and employees of a board of directors or executive board or committee displaced by section 3 of this act shall become personnel and employees of the executive board created in section 3 of this act without any loss of rights, subject to any appropriate action thereafter.

(2) All pending business before a board of directors or executive board or committee which is replaced by the executive board created in section 3 of this act shall be continued and acted upon by the new executive board.

(3) This act shall not be construed to alter:

(a) Any existing rights acquired under laws relating to operating agencies;

(b) The status of any actions, activities, or civil or criminal proceedings of any existing operating agencies;

(c) The status of any collective bargaining agreements, indebtedness, contracts, or other obligations;

(d) Any valid resolutions, covenants, or agreements between an operating agency and members, participants in any electric generating facility, privately owned public utilities, or agencies of the federal government; or

(e) Any rules, resolutions, or orders adopted by a board of directors or executive board or committee until canceled or superseded.

Sec. 5. Section 43.52.290, chapter 8, Laws of 1965 as amended by section 3, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.290 are each amended to read as follows:

Members of the board of directors of an operating agency shall be paid the sum of fifty dollars per day for each day or major part thereof devoted to the business of the operating agency, together with their traveling and other necessary expenses. Such member may, regardless of any charter or other provision to the contrary, be an officer or employee holding another public position and, if he be such other public officer or employee, he shall be paid by the operating agency such amount as will, together with the compensation for such other public position equal the sum of fifty dollars per day. The common law doctrine of incompatibility of offices is hereby voided as it applies to persons sitting on the board of directors or the executive board of an operating agency and holding an elective or appointive position on a public utility district commission or municipal legislative authority or being an employee of a public utility district or municipality.

Sec. 6. Section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373 are each amended to read as follows:

The board of directors of an operating agency by rule may create an executive committee to be composed of not less than three nor more than seven members of the board of directors. The board of directors may provide by rule for the composition of the executive committee so as to afford, in its judgment, fair representation to the member public utility districts and cities. The executive committee shall administer the business of the board of directors during intervals between its meetings in accordance with its rules, motions or resolutions. The executive committee shall have authority to acquire or construct only such properties as may be provided for by motion or resolution of the board of directors. The terms of office of the members of the executive committee and the method of filling vacancies therein shall be fixed by the rules of the board of directors of the operating agency.

Sec. 7. Section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375 are each amended to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the appointment of the treasurer shall be on the recommendation of the executive board established under RCW 43.52.374.))~~ The treasurer shall be the chief financial officer of the operating agency, who shall report at least annually to the board a detailed statement of the financial condition of the operating agency and of its financial operations for the preceding fiscal year. The treasurer shall advise the board on all matters affecting the financial condition of the operating agency. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct.

The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. ~~((If the joint operating agency is constructing a nuclear power plant under a site certification agreement under chapter 80.50 RCW, the auditor shall be appointed by the executive board.))~~ The auditor shall report directly to the board and be responsible to it for discharging his duties.

The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: PROVIDED, That the board by resolution may authorize the ~~((executive committee or executive board))~~ managing director or any other bonded officer or employee as legally permissible to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business ~~((and expenses incurred by the executive committee or executive board in the performance of such duties as the operating agency may authorize it to perform)),~~ including expenses incurred by the board of directors, its executive committee, or the executive board in the performance of their duties. All moneys of the operating agency shall be deposited forthwith by the treasurer in such depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

Sec. 8. Section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378 are each amended to read as follows:

The executive board of any operating agency constructing, operating, terminating, or decommissioning a nuclear power plant under a site certification agreement issued pursuant to chapter 80.50 RCW shall appoint an administrative auditor. The administrative auditor shall be deemed an officer under chapter 42.23 RCW. The appointment of the administrative auditor shall be in addition to the appointment of the auditor for the issuance of warrants and other purposes as provided in RCW 43.52.375. The executive board shall retain a qualified firm or firms to conduct performance audits ~~((including such engineering expertise as the executive board deems necessary.))~~ which is in fact independent and does not have any interest, direct or indirect, in any contract with the operating agency other than its employment hereunder. No member or employee of any such firm shall be connected with the operating agency as an officer, employee, or contractor. The administrative auditor and the firm or firms shall be independently and directly responsible to the executive board of the operating agency. The executive board shall require a firm to conduct continuing audits of the methods, procedures and organization used by the operating agency to control costs, schedules, productivity, contract amendments, project design and any other topics deemed desirable by the executive board. The executive board may also require a firm to analyze particular technical aspects of the operating agency's projects and contract amendments. The firm or firms shall provide advice to the executive board in its management and control of the operating agency. At least once each year, the firm or firms shall prepare and furnish a report of its actions and recommendations to the executive board for the purpose of enabling it to attain the highest degree of efficiency in the management and control of any thermal power project under construction or in operation. The administrative auditor shall assist the firm or firms in the performance of its duties. The administrative auditor and the firm or firms shall consult regularly with the executive board and furnish any information or data to the executive board which the administrative auditor, firm, or executive board deems helpful in accomplishing the purpose above stated. The administrative auditor shall perform such other duties as the executive board shall prescribe to accomplish the purposes of this section.

In addition to the powers and duties conferred by chapter 44.28 RCW, the legislative budget committee shall evaluate such management audits as to adequacy and effectiveness of procedure and shall consult with and make reports and recommendations to the executive board. The operating agency shall reimburse the legislative budget committee for all costs of furnishing such services.

The operating agency shall file a copy of each firm's reports, and the legislative budget committee shall file a copy of each of its reports or recommendations in a timely manner, prepared in accordance with this section, with the respective chairmen of the senate and house energy and utilities committees. Upon the concurrent request of the chairmen of the senate or house energy and utilities committees, the operating agency shall report to the committees on a quarterly basis.

NEW SECTION. Sec. 9. There is added to chapter 43.52 RCW a new section to read as follows:

For the purposes of this chapter, including but not limited to RCW 43.52.343, the best interests of all ratepayers affected by the joint operating agency and its projects shall determine the interest of the operating agency and its board.

Sec. 10. Section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) 'Public agency' means:

(a) Any state board, commission, committee, department, educational institution, or other state agency which is created by or pursuant to statute, other than courts and the legislature((-));

(b) Any county, city, school district, special purpose district, or other municipal corporation or political subdivision of the state of Washington;

(c) Any subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act, including but not limited to planning commissions, library or park boards, commissions, and agencies;

(d) Any policy group whose membership includes representatives of publicly owned utilities formed by or pursuant to the laws of this state when meeting together as or on behalf of participants who have contracted for the output of generating plants being planned or built by an operating agency.

(2) 'Governing body' means the multimember board, commission, committee, council, or other policy or rule-making body of a public agency.

(3) 'Action' means the transaction of the official business of a public agency by a governing body including but not limited to a collective decision made by a majority of the members of a governing body, a collective commitment or promise by a majority of the members of a governing body to make a positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

(4) 'Meeting' means meetings at which action is taken.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title, after "agencies;" strike the remainder of the title and insert "amending section 43.52.250, chapter 8, Laws of 1965 as last amended by section 1, chapter 1, Laws of 1981 1st ex. sess. and RCW 43.52.250; amending section 43.52.370, chapter 8, Laws of 1965 as last amended by section 1, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.370; amending section 2, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.374; amending section 43.52.373, chapter 8, Laws of 1965 and RCW 43.52.373; amending section 43.52.375, chapter 8, Laws of 1965 as amended by section 3, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.375; amending section 1, chapter 220, Laws of 1979 ex. sess. as amended by section 4, chapter 3, Laws of 1981 1st ex. sess. and RCW 43.52.378; amending section 43.52.290, chapter 8, Laws of 1965 as amended by section 3, chapter 184, Laws of 1977 ex. sess. and RCW 43.52.290; amending section 2, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.020; adding a new section to chapter 43.52 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Williams moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1217.

Mr. King (R) moved that the House do concur in the Senate amendments.

Representatives King (R) and Nelson (G) spoke in favor of the motion, and Mr. Williams spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1217, and the motion was lost by the following vote: Yeas, 43; nays, 52; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kroidler, Lux, Martinis, Maxie, McCormick, Mitchell, Monohon, Nelson D., North, O'Brien, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Voting nay: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McDonald, McGinnis,

Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, and Mr. Speaker.

Not voting: Representatives Owen, Salatino, Winsley.

The Speaker stated that the House had, by its action, refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1217, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 10, 1982

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1230 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 1, chapter 225, Laws of 1979 ex. sess. and RCW 28C.51.010 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, furnishing and equipping of a state fire service training center for the commission for vocational education, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~three million five hundred thousand~~) six million dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

Sec. 2. Section 27, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

Provide for planning, design, and construction of a Fire Service and Training Center: PROVIDED, That six hundred thousand dollars of the appropriated sum, or as much thereof as necessary, shall be used for the construction of a marine fire training structure.

	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	4,159,000	<u>2,500,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
294,000		((4,453,000))
		<u>6,953,000</u>

Sec. 3. Section 74, chapter 340, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	20,093,000
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropria- tion	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropria- tion	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000

General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)		\$ ((84,780,000))
		280,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$ ((211,280,000))	407,280,000
Total Appropriation	\$ ((284,277,000))	480,277,000
FTE Staff Years—Fiscal Year 1982		509.5
FTE Staff Years—Fiscal Year 1983		512.1

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

(7) \$196,000,000 of the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) appropriation is subject to the following conditions and limitations:

(a) Any project to be funded from this appropriation must appear within the fundable portion of the approved department of ecology project priority list.

(b) The municipality must be ready to proceed with design and construction or construction only.

(c) The municipality must agree to a single lump sum grant not to exceed 50% of the eligible cost. This grant amount shall initially be based upon the best estimate of the total eligible design and construction costs or total eligible construction costs at the time of the grant award. This grant may be amended in accordance with the applicable grant percentage participation after bid award to reflect the actual bid award amount for construction costs, but in no case may the state's participation in the actual bid award amount exceed 10% of the original estimate for that same line item cost. Additionally, the grant shall be amended to allow for up to a 5% increase over the approved eligible bid amount including sales tax.

(d) The maximum grant to any municipality shall not exceed \$150,000,000.

(e) The grant contract must contain provisions limiting grant participation in accordance with state regulations.

(f) The grant contract must contain provisions which stipulate limitations on cash flow to protect the statutory debt ceiling of the state and any other provisions to protect the financial interests of the state.

NEW SECTION, Sec. 4. Section 39, chapter 143, Laws of 1981 (uncodified) is repealed.

NEW SECTION. Sec. 5. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If the principal and interest requirements of outstanding state bonds, notes, or other evidences of indebtedness, and all such indebtedness as is hereafter issued, were to exceed the statutory debt limitation provided in RCW 39.42.060, the state finance committee shall issue bonds, notes, or other evidences of indebtedness of the state so as to not exceed the statutory debt limitation, in the following order of priority:

(1) Priority A: Any bond authorizations necessary to meet contractual obligations of the state existing on the effective date of this section.

(2) Priority B: Any remaining bond authorization of:

(a) Chapter 234, Laws of 1981 (social and health services and corrections facilities);

(b) Chapter 232, Laws of 1979 and chapter 131, Laws of 1981 (jail improvement and construction); and

(c) Substitute House Bill No. 1015 if enacted during the 1982 regular session of the legislature (convention center construction).

(3) Priority C: Any remaining bond authorization of:

(a) Chapter 221, Laws of 1979 ex. sess. (handicapped persons—training and rehabilitation facilities);

(b) Chapter 237, Laws of 1981 (community college facilities);

(c) Chapter 233, Laws of 1981, exclusive of \$51,500,000 for hospital and related facilities for the University of Washington (higher education facilities);

(d) Chapter 232, Laws of 1981 (higher education facilities);

(e) Chapter 224, Laws of 1979 ex. sess. (fisheries facilities);

(f) Chapter 231, Laws of 1981 (fisheries facilities);

(g) Chapter 308, Laws of 1977 ex. sess. (salmon enhancement facilities);

(h) Chapter 235, Laws of 1981 (general administration, military, and court of appeals facilities);

(i) Chapter 229, Laws of 1979 ex. sess. (outdoor recreation facilities); and

(j) Chapter 236, Laws of 1981 (outdoor recreation facilities).

(4) Priority D: Any remaining bond authorization of:

(a) Chapter 127, Laws of 1972 ex. sess.; chapter 128, Laws of 1972 ex. sess.; chapter 234, Laws of 1979 ex. sess.; chapter 258, Laws of 1979 ex. sess.; chapter 159, Laws of 1980 (\$84,780,000), notwithstanding any appropriation limitation (waste and water facilities);

(b) Chapter 233, Laws of 1981 (\$51,500,000 for hospital and related facilities for the University of Washington);

(c) Chapter 260, Laws of 1979 ex. sess. (performing arts facilities, Olympia, Tacoma);

(d) Chapter 225, Laws of 1979 ex. sess. (state fire service training center);

(e) Chapter 128, Laws of 1975-76 2nd ex. sess. (Indian cultural facility); and

(f) Chapter 197, Laws of 1979 ex. sess. (Pacific Northwest festival facility).

(5) Priority E: Any remaining bond authorization of chapter 159, Laws of 1980 (\$196,000,000 as provided in section 3 of this 1982 act for waste facilities).

If the state finance committee requires further prioritization within a particular priority grouping because of the requirement of the statutory debt limit, then the committee shall request such a list from the director of financial management. The director of financial management shall notify the state finance committee and the committees on ways and means of the senate and house of representatives of the priority list. The state finance committee shall utilize the list within a priority grouping with respect to the issuance of bonds, notes, or other evidences of indebtedness of the state.

Sec. 6. Section 2, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

As used in this act, the following phrases have the following meanings:

(1) 'GF, Cap Bldg Constr Acct' means General Fund—Capitol Building Construction Account;

(2) 'GF, State Bldg Constr Acct' means General Fund—State Building Construction Account;

(3) 'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;

(4) 'GF, ORA' means General Fund—Outdoor Recreation Account;

(5) 'GF, Sal Enhmt Constr Acct' means General Fund—Salmon Enhancement Construction Account;

(6) 'GF, For Dev Acct' means General Fund—Forest Development Account;

(7) 'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;

(8) 'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;

(9) 'GF, DSHS Constr Acct' means General Fund—State Social and Health Services Construction Account;

(10) 'GF, CEP & RI Acct' means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;

(11) 'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;

(12) 'GF, WSU Constr Acct' means General Fund—Washington State University Construction Account;

(13) 'GF, WSU Bldg Acct' means General Fund—Washington State University Building Account;

(14) 'GF, St H Ed Constr Acct' means General Fund—State Higher Education Construction Account;

(15) 'GF, H Ed Constr Acct' means General Fund—Higher Education Construction Account 1979;

(16) 'GF, EWU Cap Proj Acct' means General Fund—Eastern Washington University Capital Projects Account;

- (17) 'GF, TESC Cap Proj Acct' means General Fund—The Evergreen State College Capital Projects Account;
- (18) 'GF, Com Col Cap Impvmt Acct' means General Fund—Community College Capital Improvement Account;
- (19) 'GF, Com Col Cap Proj Acct' means General Fund—Community College Capital Projects Account;
- (20) 'GF, Com Col Cap Constr Acct' means General Fund—1975 Community College Capital Construction Account;
- (21) 'GF, CWU Cap Proj Acct' means General Fund—Central Washington University Capital Projects Account;
- (22) 'GF, UW Bldg Acct' means General Fund—University of Washington Building Account;
- (23) 'GF, St Bldg Auth Constr Acct' means General Fund—State Building Authority Construction Account;
- (24) 'GF, WWU Cap Proj Acct' means General Fund—Western Washington University Capital Projects Account;
- (25) 'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;
- (26) 'GF, Hndcp Fac Constr Acct' means General Fund—Handicapped Facilities Construction Account;
- (27) 'GF, LIRA, Waste Disp Fac' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;
- (28) 'GF, State Emerg Water Proj Rev' means General Fund—Emergency Water Project Revolving Fund—State;
- (29) 'GF, LIRA, Waste Fac 1980' means General Fund—State and Local Improvement Revolving Account—Waste Facilities 1980;
- (30) 'GF, ((Public Water Supply)) LIRA, Water Sup Fac' means General Fund—((Public Water Supply Bond)) State and Local Improvements Revolving Account—Water Supply Facilities;
- (31) 'GF, LIRA' means General Fund—State and Local Improvements Revolving Account;
- (32) 'GF, LIRA, Public Rec Fac' means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;
- ((32)) (33) 'GF, Snowmobile Acct' means General Fund—Snowmobile Account;
- ((33)) (34) 'Game Fund—Game Sp Wildlife Acct' means Game Fund—Game Special Wildlife Account;
- ((34) 'GF, Pacific Northwest Festival Facility Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;))
- (35) 'GF, Cultural Facilities Constr Acct' means General Fund—Cultural Facilities Construction Account;
- (36) 'GF, Indian Cultural Center Constr Acct' means General Fund—Indian Cultural Center Construction Account((:));
- (37) The words 'capital improvements' or 'capital projects' used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

Sec. 7. Section 13, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

- (1) Provide low water fixtures to reduce water in drainfields, Alta Lake State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	112,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		112,800

- (2) Install new septic tank and drainfield, renovate and activate restroom showers, Illahee State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	8,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/83 and	Costs
6/30/81	Thereafter	
		8,600

- (3) Provide new septic tank and replace drainfield, Lake Chelan State Park.

	Reappropriation	Appropriation
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GF, LIRA, Waste Disp Fac	25,400	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 25,400
(4) Eliminate storm sewer entry into sanitary sewer, Fort Columbia State Park.		
	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	17,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 17,000
(5) Acquire lands for the purpose of establishing an estuarine sanctuary in Padilla Bay.		
	Reappropriation	Appropriation
GF, ORA—State		550,000
General Fund—Federal		1,112,869
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 1,732,869
70,000		
(6) Provide sewage system improvements, Blake Island State Park.		
	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	215,700	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 215,700
(7) To construct waste disposal facilities at various state park facilities state-wide.		
	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	713,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 746,000
33,600		
(8) To construct water supply facilities at various state park facilities state-wide.		
	Reappropriation	Appropriation
GF, ((Public Water Supply)) LIRA	197,900	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs 220,000
22,100		
(9) Drill eight wells to acquire hydrologic and geologic subsurface data, Island County.		
	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev	204,000	480,000
Project Costs	Estimated Costs	Estimated Total

Through 6/30/81	7/1/83 and Thereafter	Costs
977,000	580,000	2,241,000

(10) Equip three marine parks (Squaxin Island, Jones Island, and Sucia Island) with self-contained organic sewage treatment systems.

	Reappropriation	Appropriation
GF, LIRA Waste Fac 1980		127,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		127,100

(11) Expand and improve the existing self-contained sewage treatment system at Flaming Geyser State Park.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		85,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		85,200

(12) Provide facilities in twenty-seven parks for the disposal of marine sewage from Porta-Potties.

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		104,800
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		104,800

(13) Provide water service connection for fire protection and public use, Saint Edward State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) LIRA, Water Sup Fac		183,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		183,600

(14) Develop additional 5,000-gallon reservoir, intercept collector lines and well, Jones Island State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) LIRA, Water Sup Fac		48,300
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		48,300

(15) Provide 5,000-gallon reservoir, extend water system, and provide waste facility and unisex toilet, Blake Island State Park.

	Reappropriation	Appropriation
GF, ((Public Water Supply)) LIRA, Water Sup Fac		87,700

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		87,700

(16) Provide potable water and electricity, Anderson Island State Park.

Reappropriation	Appropriation
	65,800

GF, ((Public Water
Supply)) LIRA, Water Sup Fac

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		65,800

(17) Renovate primary and secondary water distribution system, Larrabee State Park.

Reappropriation	Appropriation
	43,600

GF, ((Public Water
Supply)) LIRA, Water Sup Fac

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	43,600	

(18) Connect Westhaven State Park water system to the municipal water system.

Reappropriation	Appropriation
	77,700

GF, ((Public Water
Supply)) LIRA, Water Sup Fac

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		77,700

(19) Provide for water system improvements and 20,000-gallon reservoir, Fields Spring State Park.

Reappropriation	Appropriation
	107,300

GF, ((Public Water
Supply)) LIRA, Water Sup Fac

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		107,300

(20) Provide for water system improvements, Sun Lakes State Park.

Reappropriation	Appropriation
	83,600

GF, ((Public Water
Supply)) LIRA, Water Sup Fac

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		83,600

NEW SECTION, Sec. 8. There is added to chapter 143, Laws of 1981 a new section to read as follows:
FOR WASHINGTON STATE UNIVERSITY

For the planning, construction, and equipping of the Pullman/Washington State University Waste Water Treatment Plant improvements.

	Reappropriation	Appropriation
GF, WSU Bldg Acct		837,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	282,000	837,000

NEW SECTION. Sec. 9. There is added to chapter 143, Laws of 1981 a new section to read as follows:
FOR CENTRAL WASHINGTON UNIVERSITY

(1) For minor capital improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	334,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	0	334,600

(2) For utilities improvements.

	Reappropriation	Appropriation
GF, CWU Cap Proj Acct	0	233,900
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	0	233,900

NEW SECTION. Sec. 10. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

(1) Acquire rights of way access for land management.

	Reappropriation	Appropriation
General Fund—Resource Management Cost Account		275,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,600,000	3,386,000

(2) Construct and improve the Cedar Creek and Sherman Valley roads.

	Reappropriation	Appropriation
General Fund—ORV Account		108,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		475,000

(3) Construct and improve campsites, roads, trails, and other recreation projects.

	Reappropriation	Appropriation
General Fund—Outdoor Recreation Account—State	48,500	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,379,000	5,871,000

NEW SECTION. Sec. 11. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

(1) Minor remodel of the third and fourth floors of the insurance building for the OFM occupancy and relocation of secretary of state functions.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		332,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
332,000		332,000

(2) Conversion of existing storage center located in the basement of the public lands building for support services space.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		140,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
140,000		140,000

(3) Alteration to house office building; design and first phase of remodeling for ground floor hearing rooms.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		1,000,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,000,000	3,000,000	4,000,000

(4) Alterations to portion of state modular office building at Air Industrial Park for state printer.

	Reappropriation	Appropriation
GF, State Bldg Constr Acct		1,429,300
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,429,300	-0-	1,429,300

(5) Alteration of basement and ground floor of general administration building for use as office space; design only.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		450,000
Project Costs Through 6/30/83	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
450,000	5,050,000	5,500,000

(6) Rehabilitate Capitol Lake.

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		2,163,000

NEW SECTION. Sec. 12. There is added to chapter 143, Laws of 1981 a new section to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter

234, Laws of 1979 ex. sess. (Referendum 38) \$ 10,000,000

NEW SECTION. Sec. 13. The department of social and health services is authorized to proceed with Phase III of Referendum 37 under chapter 43.99C RCW according to the department's recommendation, involving nineteen projects and totalling \$1,211,731.00. The moneys allocated in this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1982, and approved by March 31, 1983.

Sec. 14. Section 9, chapter 233, Laws of 1981 and RCW 28B.14G.900 are each amended to read as follows:

No provision of this chapter shall be deemed to repeal, override, or limit any provision of RCW 28B.15.210, 28B.15.310, (~~28B.15.401~~) 28B.15.402, 28B.20.700 through 28B.20.745, 28B.30.700 through 28B.30.780, or 28B.35.700 through 28B.35.790, nor any provision or covenant of the proceedings of the board of regents or board of trustees of any state institution of higher education hereafter taken in the issuance of its revenue bonds secured by a pledge of its general tuition fees and/or other revenues mentioned within such statutes. The obligation of the board to make the transfers provided for in RCW 28B.14G.060, chapters 28B.14C and 28B.14D RCW, and RCW (~~28B.20.727~~) 28B.20.757 shall be subject and subordinate to the lien and charge of any revenue bonds hereafter issued against general tuition fees and/or other revenues pledged to pay and secure such bonds, and on the moneys in the building account, capital project account, the individual institutions of higher education bond retirement funds and the University of Washington hospital local fund.

NEW SECTION. Sec. 15. The legislature recognizes that the local economies of many communities are heavily dependent on the timber and fishing industries of the state. The legislature also recognizes that the current economic recession has created extraordinarily high rates of unemployment in these communities. Therefore, the intent of section 16 of this act is to provide the director of fisheries with the funds to undertake enhancement projects which will:

(1) Improve the streams and rivers of this state which are important to the success of the state's natural stocks of salmon;

(2) Create employment opportunities for the citizens of those communities in which unemployment rates are high as a result of unemployment in the timber and fishing industries;

(3) Provide maximum utilization of existing salmon stocks; and

(4) Develop and implement mini-modular mobile hatchery complexes on rehabilitated streams.

Sec. 16. Section 15, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

(1) Renovate to meet health, safety, and code requirements.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	655,000	248,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		1,595,840

(2) Continue pollution abatement and pond cleaning to meet various water quality standards.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	732,000	1,269,715
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	1,000,000	3,998,940

(3) Provide handicap access to various facilities.

	Reappropriation	Appropriation
General Fund—Federal		256,614
GF, Fish Cap Proj Acct	243,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		595,991

(4) Provide necessary replacements and alterations at facilities to maintain current productions.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	1,466,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
1,023,250		2,489,250

(5) Stabilize Jordan Creek at Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	216,000	224,266
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
	25,734	466,000

(6) Complete projects for improvement of operations and production efficiency.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	542,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
843,964		1,385,964

(7) Complete salmon enhancement program. The \$2,000,000 salmon enhancement construction account appropriation is to provide increased funding for the Skagit River spawning channel and is contingent on the enactment of Senate Bill No. 3586 during the 1981 regular session of the legislature. Up to five million dollars of the moneys available under this subsection may be used by the director of fisheries for projects under section 15 of this 1982 act.

	Reappropriation	Appropriation
GF, Sal Enhmt Constr Acct	14,381,000	2,000,000
General Fund—Federal	1,559,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
18,484,500		36,424,500

(8) Complete outdoor recreation account projects.

	Reappropriation	Appropriation
GF, ORA—State	((186,000)) 236,000	
GF, ORA—Federal	((254,000)) <u>299,000</u>	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
590,327		1,030,327

(9) Replace auxiliary generators at various hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		327,366
GF, Fish Cap Proj Acct	18,000	302,184
Project Costs Through	Estimated Costs 7/1/83 and	Estimated Total Costs

6/30/81	Thereafter	
160,000		807,550
(10) Provide artificial reef structures in Puget Sound and Hood Canal.		
	Reappropriation	Appropriation
GF, ORA—State	205,000	
GF, ORA—Federal	205,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		410,000
(11) Construct wooden walkways and handrails at Westhaven Cove Marina, Westport.		
	Reappropriation	Appropriation
GF, ORA—State	62,000	
GF, ORA—Federal	62,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		124,000
(12) Develop breakwater launch ramp, loading and tie-up floats, sanitary facilities, parking, and other related facilities for recreational fishing at Snow Creek.		
	Reappropriation	Appropriation
GF, ORA—State	322,500	
GF, ORA—Federal	322,500	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		645,000
(13) Construct public fishing pier and related facilities on the downtown Tacoma waterfront of Commencement Bay.		
	Reappropriation	Appropriation
GF, ORA—State	339,250	99,250
GF, ORA—Federal	339,250	99,250
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		877,000
(14) Replace auxiliary fuel tanks at hatcheries.		
	Reappropriation	Appropriation
General Fund—Federal		30,558
GF, Fish Cap Proj Acct		144,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(15) Rebuild main water supply, Humptulips Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		331,663
Project	Estimated	Estimated

Costs Through 6/30/81	Costs 7/1/83 and Thereafter	Total Costs
(16) Replace sand separator, Green River Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		91,175
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		91,175
(17) Construct adult holding and spawning facilities, Buck Creek Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		340,769
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		340,769
(18) Construct adult holding and spawning pond, Lewis River Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		439,520
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		439,520
(19) Construct new incubation system, George Adams Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		392,832
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		392,832
(20) Replace fishway intake, Sunset Falls.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		133,416
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		133,416
(21) Provide riprap for erosion control, Green River Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		39,519
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		39,519

(22) Provide isolated storage buildings or approved cabinet facilities for volatile products storage at primary hatchery locations.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		56,223
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		56,223

(23) Replace electrical service, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		77,260
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		77,260

(24) Install new incubation system, Lewis River Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		231,579
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		231,579

(25) Install intake pump, Skagit Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		161,912
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		161,912

(26) Replace storage building, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		59,803
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		59,803

(27) Replace roofs, Kalama Falls and Elokomina Hatcheries.

	Reappropriation	Appropriation
General Fund—Federal		51,623
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(28) Install Heath incubators, Simpson Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		122,112

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(29) Complete building renovation, Puyallup Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		130,567
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
74,470		205,037
(30) Cover work area with asphalt, Hood Canal Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		14,588
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		14,588
(31) Install gas island, Elwha Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,209
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,209
(32) Install effluent-line booster pump, Humptulips Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		9,914
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		9,914
(33) Construct adult holding and spawning pond, Skykomish Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		194,700
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		194,700
(34) Install 10,000-gallon, fresh water, metal storage tank, Brinnon Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		20,721
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		20,721

(35) Replace gravity pipeline, Hurd Creek Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		179,166
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(36) Replace pond drains, Issaquah Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		207,254
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		207,254

(37) Install deep saltwater pipe and filter system, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		68,600
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs

(38) Construct new storage buildings, Elwha, Humptulips, and Skagit Hatcheries.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		154,100
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
297,000		451,100

(39) Install Heath incubators, Washougal Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		136,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		136,402

(40) Provide domestic water supply and incinerator toilet, Garrison Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		29,402
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
325,000		354,402

(41) Install Heath incubators and improve water supply, Skykomish Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		406,217
Project	Estimated	Estimated

Costs Through 6/30/81	Costs 7/1/83 and Thereafter	Total Costs
		406,217
(42) Install adult trapping weirs and (salmon egg incubation boxes) <u>mini-modular mobile hatchery systems</u> in various streams, western Washington.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		140,920
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
130,000	690,000	960,920
(43) Construct adult pond separators, Soleduck Hatchery.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct	40,000	58,135
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
172,063		270,198
(44) Install incubation filters, Grays River Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		160,062
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		160,062
(45) Install permanent sills, Kalama Falls Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		364,946
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(46) Improve adult holding pond and spawning structures, Elokomin Hatchery.		
	Reappropriation	Appropriation
General Fund—Federal		71,497
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
(47) Install electric automated seawater system, Willapa Laboratory.		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		8,820
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		8,820

(48) Improve grounds and blacktop laboratory site area, Brinnon Laboratory.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		46,983
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		46,983

(49) Repair gabion sill, Soleduck Hatchery.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		47,092
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		47,092

(50) Asphalt rearing pond, Klickitat Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		36,392
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		36,392

(51) Repair standard ponds, Klickitat Hatchery.

	Reappropriation	Appropriation
General Fund—Federal		266,066
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		266,066

(52) Construct public recreational fishing access facilities on the pontoon level of the Hood Canal bridge.

	Reappropriation	Appropriation
GF, ORA—State	190,000	
GF, ORA—Federal	190,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		380,000

(53) Place gravel on public recreational tideland area, Seahurst County Park.

	Reappropriation	Appropriation
GF, ORA—State		14,000
GF, ORA—Federal		14,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		28,000

(54) Place gravel on public recreational tideland area, Fay Bainbridge.

	Reappropriation	Appropriation
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GF, ORA—State		7,000
GF, ORA—Federal		7,000

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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14,000

(55) Place gravel on public recreational tideland area, Quartermaster Harbor.

Reappropriation	Appropriation
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GF, ORA—State		4,250
GF, ORA—Federal		4,250

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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8,500

(56) Place gravel on public recreational tideland area, Fry Cove County Park.

Reappropriation	Appropriation
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GF, ORA—State		17,750
GF, ORA—Federal		17,750

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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35,500

(57) Place gravel on public recreational tideland area, Bywater Bay.

Reappropriation	Appropriation
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GF, ORA—State		14,000
GF, ORA—Federal		14,000

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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28,000

(58) Renovate and improve to protect park and boat launch from erosion, Pillar Point.

Reappropriation	Appropriation
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GF, ORA—State		81,700
GF, ORA—Federal		81,700

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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163,400

(59) Acquire tidelands and/or saltwater shoreline access.

Reappropriation	Appropriation
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GF, ORA—State		100,000
GF, ORA—Federal		100,000

Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
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200,000

(60) Purchase a salmon rearing net pen complex; except a unit of eight pens from this complex shall be located at McNeil Island.

	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		200,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
		200,000

Sec. 17. Section 7, chapter 143, Laws of 1981 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ((SOCIAL AND HEALTH SERVICES — FOR ADULT)) CORRECTIONS

((The appropriations contained in this section shall be transferred to the department of corrections if a department of corrections is created during the 1981 regular session of the legislature.))

(1) Construct and equip a 100-man honor camp.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	100,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
3,207,259	3,307,259	Estimated Completion Date
		9/81

(2) Construct and equip a 120-man housing unit at the Washington Corrections Center.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	500,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
2,927,000	3,427,000	Estimated Completion Date
		9/81

(3) Convert 300-bed minimum security building to medium security at the Washington State Penitentiary.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,275,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
4,153,000	5,428,000	Estimated Completion Date
		12/81

(4) Construct and equip maximum security facility at the Washington State Reformatory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
11,054,000	12,054,000	Estimated Completion Date
		6/82

(5) Renovate and expand visiting, dining, and recreation facility at the Washington State Reformatory.

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,000,000	
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs
524,000	1,524,000	Estimated Completion Date
		2/82

(6) Construct a 500-man medium security corrections center on the grounds of the Washington State Reformatory.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		4,000,000	28,433,300
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
1,429,000		33,862,300	9/83

(7) To improve security, facilities, and utilities, Phase II, Washington State Penitentiary: PROVIDED, That if alternative housing arrangements are approved by the special master, \$2,500,000 of this appropriation, which is intended to be used only for the construction of temporary inmate housing, shall be placed in reserve and left unexpended. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct		2,900,000	19,450,200
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
3,024,000	5,245,300	30,619,500	6/84

(8) Improve security, facilities, and ventilation at the Washington State Reformatory, Phase I. If construction has not begun by August 15, 1982, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			723,400
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	8,911,400	9,634,800	12/85

(9) Purchase equipment for institutional industries at the Washington State Penitentiary (~~((81-83))~~), Washington State Reformatory (~~((83-85))~~), and Purdy Treatment Center for Women (~~((83-85))~~).

		Reappropriation	Appropriation
GF, DSHS Constr Acct			500,000
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
	((334,300))	((834,300)) 500,000	6/83

(10) Make repairs and alterations to McNeil Island Penitentiary to maintain serviceability of the institution for short-term use by the state. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the funds unexpended as of June 30, 1981, shall be reappropriated for the 1981-83 biennium. If House Bill No. 459 is enacted during the 1981 regular session of the legislature, the GF, CEP & RI Acct appropriation shall be reduced by the amount of the appropriation in House Bill No. 459, but in no case shall the reappropriation plus the appropriation exceed \$2,674,900. If construction has not begun by September 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

		Reappropriation	Appropriation
GF, DSHS Constr Acct			674,900
GF, CEP & RI Acct			2,000,000
Project Costs	Estimated Costs	Estimated Total	Estimated Completion

Through 6/30/81	7/1/83 and Thereafter	Costs	Date
		2,674,900	6/83

(11) Repair and expand education building damaged by December 31, 1980, fire at Washington Corrections Center. If construction has not begun by August 15, 1981, all remaining funds not disbursed or contractually obligated shall remain unexpended and shall be held in reserve unless a revised project schedule is approved by the director of financial management.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	1,386,000 Estimated Completion Date
		1,386,000	4/82

(12) Fire and safety improvements at the Washington State Penitentiary.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		220,000	9/81

(13) Fire and safety improvements at the Washington State Reformatory.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		700,000	9/81

(14) To repair and improve utilities and facilities—Omnibus: PROVIDED, That if a department of corrections is not created during the 1981 regular session of the legislature, this appropriation shall be transferred to the budget and fiscal services division of the department of social and health services.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,600,000	12/83

(15) Complete a ten-year facility plan by December 15, 1981, identifying year-by-year projected population for all institutional and noninstitutional correctional programs including jails; space standards for residential and support service facilities; the capacity of existing facility resources; and the projected demand for additional space based upon these projections, standards, and resources. It is the intent of this appropriation to provide the data to support the need for any additional correctional beds and, if needed, based on this data, to determine feasible locations for new adult corrections facilities and to initiate planning and design for any new facility(s): PROVIDED, That no funds shall be expended for design without this plan being presented to the house and senate ways and means committees.

GF, DSHS Constr Acct		Reappropriation	Appropriation
Project Costs Through 6/30/81	Estimated Costs 7/1/83 and Thereafter	Estimated Total Costs	Estimated Completion Date
		1,285,000	8/85

Sec. 18. Section 8, chapter 17, Laws of 1967 as last amended by section 111, chapter 136, Laws of 1981 and RCW 72.65.080 are each amended to read as follows:

The secretary may enter into contracts with the appropriate authorities for the payment of the cost of feeding and lodging and other expenses of housing work release participants. Such contracts may include any other terms and conditions as may be appropriate for the implementation of the work release program. In addition the secretary is authorized to acquire, by lease or contract, appropriate facilities for the housing of work release participants and providing for their subsistence and supervision. Such work release participants placed in leased or contracted facilities shall be required to reimburse the department the per capita cost of subsistence and lodging in accordance with the provisions and in the priority established by RCW 72.65.050(2). The location of such facilities shall ((not)) be subject to the zoning laws of the city or county in which they may be situated.

Sec. 19. Section 1, chapter 235, Laws of 1981 and RCW 43.83.172 are each amended to read as follows:

For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing rooms, work rooms, and industrial-related space for the legislature, for other elective officials, and such other state agencies as may be necessary, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~eleven million two hundred~~) twelve million one hundred thirty thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83.172 through 43.83.182 may be offered for sale without prior legislative appropriation.

NEW SECTION. Sec. 20. There is added to chapter 143, Laws of 1981 a new section to read as follows:

If federal funds appropriated by this act from the outdoor recreation account in the general fund are not received, the agency or department may expend state general fund—outdoor recreation account moneys appropriated for other capital projects of the agency or department. This reallocation of appropriated moneys may be accomplished by the elimination, reduction, or combination of capital projects authorized by this act.

Expenditures under this section shall not be made without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

NEW SECTION. Sec. 21. Section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess. is hereby repealed.

NEW SECTION. Sec. 22. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 23. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 20 of the title, after "72.65.080;" insert "amending section 1, chapter 235, Laws of 1981 and RCW 43.83.172;"

On page 1, line 22 of the title, after "section;" insert "repealing section 114, chapter ... (ESSB 4369), Laws of 1982 1st ex. sess.;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Chandler, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1230.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1230 as amended by the Senate.

POINT OF PARLIAMENTARY INQUIRY

Mr. Chandler: "Mr. Speaker, how many votes are required to pass this bill?"

The Speaker: "To make the bond provisions of this act effective, it will take fifty-nine votes."

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Lux.

Mr. Lux: "Representative Chandler, how many dollars in new bond authorization are in this bill and how many total dollars of reauthorization are in the bill?"

Mr. Chandler: "In our original authorization, we went from \$3.5 million to \$6 million on the fire services training center. The Senate has added \$900,000 for a variety of projects, most of them here on the capitol campus, and I just don't have the figure for the reauthorization."

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Chandler, in this bill I notice that the last priority is the water facilities. I also notice that we hit the seven percent taxpayer debt limit for fiscal year 1984, and then it says that the State Finance Committee will make changes in priorities when they get to that debt limit. How much do you think that may affect the last priority and the fact that we hit that statutory deadline of 1984?"

Mr. Chandler: "By then, you will have sold around \$255 million, and, of course, a lot depends on what the 1983 session of the Legislature does about taxation."

Mr. Lux spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1230 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; nays, 32; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barrett, Becker, Bender, Bickham, Bond, Brekke, Burns, Cantu, Chamberlain, Chandler, Cole, Eberle, Ellis, Eng, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Greengo, Hankins, Hastings, Hine, Houchen, James, King J., King R., Kreidler, Lewis, Lundquist, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Patrick, Prince, Rinehart, Rust, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tupper, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Berleen, Brown, Clayton, Dawson, Dickie, Ehlers, Erak, Flanagan, Granlund, Grimm, Heck, Isaacson, Johnson, Kaiser, Leonard, Lux, Nickell, Padden, Pruitt, Rosbach, Sanders, Schmidt, Taylor, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang.

Not voting: Representatives Owen, Salatino, Winsley.

Engrossed Substitute House Bill No. 1230 as amended by the Senate, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SENATE JOINT MEMORIAL NO. 115, by Senators Bauer, Patterson, Talley, Hansen, Quigg, Benitz, Sellar, Hayner and Zimmerman:

Opposing the imposition of user fees to fund federal navigation projects.

The memorial was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Chamberlain and Nelson (D) spoke in favor of passage of the memorial, and Ms. Stratton spoke against it.

POINT OF INQUIRY

Mr. Chamberlain yielded to question by Mr. Lux.

Mr. Lux: "Representative Chamberlain, I assume that this work will be done by the Corps of Army Engineers—the dredging and so on—and that this will be funded by general fund moneys from all of the people of the United States through the United States Treasury. Is this true?"

Mr. Chamberlain: "I believe the Corps of Engineers is generally funded that way, and the Corps of Engineers does virtually all of the maintenance on the Columbia River system."

Representatives Lux and Isaacson spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Memorial No. 115, and the memorial passed the House by the following vote: Yeas, 86; nays, 9; not voting, 3.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm,

Hankins, Hastings, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Addison, Becker, Berleen, Ehlers, James, McDonald, Padden, Stratton, Van Dyken.

Not voting: Representatives Owen, Salatino, Winsley.

Engrossed Senate Joint Memorial No. 115, having received the constitutional majority, was declared passed.

Representative Winsley appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 4995, by Senator Gould:

Relating to joint operating agencies.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cantu, Barnes, Isaacson and Hine spoke in favor of passage of the bill, and Representative Nelson (D) spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4995, and the bill passed the House by the following vote: Yeas, 83; nays, 13; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Martinis, McCormick, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, O'Brien, Padden, Patrick, Prince, Pruitt, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Tilly, Tupper, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Brekke, Burns, Eng, Erak, Garrett, Lux, Maxie, Monohon, Nelson D., North, Rinehart, Thompson, Valle.

Not voting: Representatives Owen, Salatino.

Engrossed Senate Bill No. 4995, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 795,
HOUSE BILL NO. 796.

HOUSE CONCURRENT RESOLUTION NO. 50, by Representatives Rosbach, Flanagan, Padden, Dickie, Smith, Sanders, Bickham, Barr, Clayton, Isaacson, Prince, Nickell, Tilly, Hastings and Heck:

Forming a joint committee to study laws relating to search for and development of oil and gas in the state.

The resolution was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Representatives Rosbach and Flanagan spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 50, and the resolution was adopted by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague,

Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Owen, Salatino.

House Concurrent Resolution No. 50, having received the constitutional majority, was declared adopted.

HOUSE CONCURRENT RESOLUTION NO. 52, by Representatives Eberle, King (R), Prince and Walk:

Prescribing procedures for legislative review of agency rules.

The resolution was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Mr. Eberle spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 52, and the resolution was adopted by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Owen, Salatino.

House Concurrent Resolution No. 52, having received the constitutional majority, was declared adopted.

MESSAGE FROM THE SENATE

April 10, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4250,

SENATE BILL NO. 4995,

SENATE JOINT MEMORIAL NO. 115,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

HOUSE CONCURRENT RESOLUTION NO. 53, by Representatives Nelson (G) and Ehlers:

Providing plans for organization of interim activities of the legislature.

The resolution was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 53, and the resolution was adopted by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Owen, Salatino.

House Concurrent Resolution No. 53, having received the constitutional majority, was declared adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 1230,
SENATE BILL NO. 4250,
SENATE BILL NO. 4995,
SENATE JOINT MEMORIAL NO. 115.

Representatives Owen and Salatino appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 4972, by Senator Zimmerman:

Relating to local government finance.

The bill was read the second time.

Mr. Padden moved adoption of the following amendments:

On page 6, line 28 after "shall" strike the balance of the section and insert "refer such tax or increase to a vote of the people and shall not collect such tax or increase unless approved by a majority of the voters of the city or town voting on the proposition."

On page 8, line 3 after "shall" strike the balance of the section and insert "refer such tax proposal to a vote of the people and shall not collect such tax unless approved by a majority of the voters of the county or city voting on the proposition."

On page 11, line 24 after "shall" strike the balance of the section and insert "refer such tax proposal to a vote of the people and shall not collect such tax unless approved by a majority of the voters of the county or city voting on the proposition."

Representatives Padden and Taylor spoke in favor of the amendments, and Representatives Barrett, Hine, Heck, Nelson (G) and Isaacson spoke against them.

The amendments were not adopted.

Mr. Bickham moved adoption of the following amendment by Representatives Bickham, Barrett, Lundquist, Tilly and McCormick:

On page 7, beginning on line 11 strike all of sections 11, 12, 13, 14, 15 and 16 and renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Bickham, James, Lux and King (R) spoke in favor of the amendment, and Representatives Greengo, Barrett, Hine, Flanagan and King (J) spoke against it.

The amendment was not adopted.

Ms. Sommers moved adoption of the following amendment:

On page 10, beginning on line 22 strike all material down through "tax)" on line 28 and insert "The rate of such additional tax imposed by a county shall be up to three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The rate of such additional tax imposed by a city shall be up to three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax)."

Ms. Sommers spoke in favor of the amendment, and Mr. Nelson (G) spoke against it.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Ms. North.

Ms. North: "I'm aware of your words that it's up to the cities to make the decision whether or not to elect to impose this tax. If one city does so and is very close to another city, does that not create what we would call a 'hot spot,' and then people will go to the city which does not impose the sales tax? Then you almost create a situation where everyone must impose this."

Mr. Nelson (G): "Representative North, as a past city councilwoman yourself, I'm sure you understand that when you do have differences among bordering cities there is a tendency on occasion for people to go to where they think the lower rate might be imposed, but I believe there are so many varieties of services and so many differences in just the base prices that it's difficult to say that the one-half of one percent or the one-quarter of one percent is going to make such a difference that the consumers are going to look at only that as the reason why they may go to the adjoining city or the adjoining or, in some cases, to the adjoining state. Therefore, I don't feel that this local option sales tax makes any difference at all. I think it's so miniscule that it doesn't come into play. In the community where I happen to live, there are a number of large shopping centers that have a tremendous marketing capability for drawing

people. I might point out that those larger cities have a lower rate of taxation on almost everything else—no B&O tax to any extent, no utility tax, very small kinds of taxes that would be incidental—so essentially it is an additional drawing power even though the city may have the one-half of one percent greater sales tax than that larger city, and the one that has no commercial establishment may not have any of that one-half of one percent."

Representatives Hine, Barrett and Barr spoke against the amendment, and Representatives Taylor and Flanagan spoke in favor of it.

The amendment was not adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Eberle yielded to question by Mr. Barrett.

Mr. Barrett: "Representative Eberle, along the lines that Representative Nelson just talked about, I know that you have been working with a particular section on page 4, line 11 of this bill. It says, 'This section does not prohibit voluntary agreement with counties, cities, towns or of municipal corporations....' What is the explanation of 'voluntary agreement' in this case?"

Mr. Eberle: "Representative Barrett, that question has been decided in court. Justice Marshall Neill of the Washington State Supreme Court and a former member of this body, states in Chrobuck vs. Snohomish County (1971) the following: "...The indicia of validity in such agreements include (1) The performance called for is directly related to public needs which may be expected to result from the proposed usage of the property to be rezoned. (2) Fulfillment of these needs is an appropriate function of the contracting governmental body. (3) Performance will mitigate the public burden in meeting those resulting needs by placing it more directly on the party whose property use will give rise to them. (4) The agreement involves no purported relinquishment by the governing body of its discretionary zoning power.

"Basically, a valid concomitant agreement operated to materialize any expected negative impact of the proposed property usage. In this, it is distinguished from an agreement which seeks to extract some collateral benefit from the property owner...."

Representatives Barrett and Hine spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Ms. Maxie.

Ms. Maxie: "Representative Nelson, does this bill preclude developers from paying water rights or water fees for a given area, or would this be spread out for property owners as opposed to new developers coming in?"

Mr. Nelson (G): "Representative Maxie, the reference on the development fees is shown in section 5. It will be pointed out, as it was in both House Bill No. 1014 and House Bill No. 323, that the cities and counties would be able to collect fees for hook-ups and the necessary waterpipe, and so on, that would be placed there by the developer in a new plat. It should also be pointed out that this section does not apply (this is on page 5, line 18) to special purpose districts that are formed, and those are basically the water and sewer districts which impose the same kinds of fees for the utilities that they handle."

Representatives Sommers and Lux spoke against passage of the bill.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Ms. Berleen.

Ms. Berleen: "Representative Nelson, we, in this Legislature, have proposed in this session that some of the responsibility for social services be transferred from the state to the counties. The original House budget reduction plan had such a proposal, as did House Bill 1235. Because Initiative 62 requires that additional responsibility given local government by the state government be accompanied by enough revenue to support these programs, would the additional revenue generated by the enactment of this bill, Engrossed Senate Bill No. 4972, be considered as revenue to support the services transferred by the 1983 Legislature?"

Mr. Nelson (G): "Representative Berleen, the answer would be 'yes.' There are no additional responsibilities transferred or required of local governments in this act, and a tremendous amount of revenue can be generated for local government through this act. So long as the cost of programs transferred did not exceed the amount of revenues allowed by this act, it would appear that this tax authorization could be referenced in future years as support for transferred programs."

Ms. Hine spoke again in favor of the bill.

POINT OF PARLIAMENTARY INQUIRY

Mr. Chandler: "When a question is asked of another member, as with the case of Representative Nelson, is there some special note made of that question and answer in the Journal?"

The Speaker: "The question and the answer are inserted in the Journal, Representative Chandler."

Mr. Chandler: "How would a member get the remarks of Representative Hine entered into the Journal?"

The Speaker: "Basically in two ways, Representative Chandler; it could be inserted by a motion or Representative Hine could request of the Clerk that her remarks be inserted verbatim."

MOTION

On motion of Mr. Chandler, Ms. Hine's remarks were ordered inserted into the Journal.

Ms. Hine: "The response to that last question disturbs me a great deal. I do not believe that the intent of this legislation is to give the locals the ability to handle state programs. The fiscal relief option for local governments, which I have mentioned to you, has really turned out to be a rather small portion of this bill and was to respond to the fiscal crisis that they are going through which is very much the same as we are experiencing in the state. They have had revenue shortfalls; they have had programs from the federal government and the state that have been taken away; they have, over the years, had to absorb mandated costs for many programs, such as CEPA, shorelines management, and many other things. Essentially, they have had to live with labor costs different from the state. The state has been able to cut back the employees' proposed salary increases. Local governments—due to the wisdom of this body which has said that local fire, police and some others—must have compulsory arbitration; therefore, the increases that we have to grant to employees on the local level cannot reflect our true financial picture all the time. We have, in fact, put lids on local government. We've imposed the 106% property tax lid; we have continuously cut back the ability to respond to the needs of the communities. Our local governments have been cutting back. My city cut 17% last year and will cut 17% again this year. This bill was intended to give some flexibility to deal with existing and future local fiscal problems, not to handle state problems on the local level."

MOTION

On motion of Mr. King (R), the following remarks by Representative Chandler were ordered inserted into the Journal.

Mr. Chandler: "I think there is very definitely a difference of opinion here on what the response to Representative Berleen's question would be. I intend to vote for this bill, and I do so gladly, but I do not do so with the understanding that subsequent legislatures can shift the local government responsibilities which, under the provisions of Initiative 62, would require that revenues go with them, and then come back and say that we did that in the 1982 Legislature with the adoption of the local option sales tax. I do hope that view is shared by the majority here, and that we will, at least, show in the record that there is a difference of opinion should anyone care to look in the future."

Ms. Teutsch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4972, and the bill passed the House by the following vote: Yeas, 75; nays, 23; not voting, 0.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brown, Burns, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, Johnson, Kaiser, King J., King R., Kreedler, Lewis, Martinis, Maxie,

McDonald, Mitchell, Monohon, Nelson G. A., Nisbet, O'Brien, Owen, Prince, Rinehart, Rosbach, Rust, Scott, Sherman, Smith, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Brekke, Cantu, Eng, Garrett, Hastings, James, Leonard, Lundquist, Lux, McCormick, McGinnis, Nelson D., Nickell, North, Padden, Patrick, Pruitt, Salatino, Sanders, Schmidt, Sommers, Taylor.

Engrossed Senate Bill No. 4972, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Senate Bill No. 4972 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 4705 as amended by the House, by Senators Gallagher, Rasmussen, Shipoch, Deccio, Metcalf, Quigg, Vognild and Haley:

Authorizing the use of credit cards for state purchases.

The bill was read the third time and placed on final passage.

The Speaker stated the question before the House to be a Point of Order raised by Representative Heck.

SPEAKER'S RULING

The Speaker: "Representative Heck raised a point of order challenging this bill under the terms of Senate Concurrent Resolution No. 150. The Speaker has examined Senate Concurrent Resolution No. 150 and finds that it exempts fiscal issues. In reading Senate Bill 4705, it is an act relating to state purchasing. In examining the bill reports and other data by the committee, I find it will significantly enhance auditing of state expenditures and can save substantial moneys by allowing the state to benefit from cash purchasers subsidizing the credit industry. I would find, under those terms, Representative Heck, that your point of order is not well taken."

Representatives Addison and Kaiser spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4705 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Nickell.

Engrossed Senate Bill No. 4705 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), Engrossed Senate Bill No. 4705 as amended by the House, was ordered immediately transmitted to the Senate.

MESSAGES FROM THE SENATE

April 10, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 50,
 HOUSE CONCURRENT RESOLUTION NO. 52,
 HOUSE CONCURRENT RESOLUTION NO. 53,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 4996,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4369, and has passed the bill as amended by the Free Conference Committee.

Marilyn Brachtenbach, Secretary.

April 10, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 795,
 HOUSE BILL NO. 796,
 SUBSTITUTE HOUSE BILL NO. 1230,
 SUBSTITUTE SENATE BILL NO. 4369,
 SENATE BILL NO. 4972,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 50,
 HOUSE CONCURRENT RESOLUTION NO. 52,
 HOUSE CONCURRENT RESOLUTION NO. 53,
 SUBSTITUTE SENATE BILL NO. 4369,
 SENATE BILL NO. 4972.

MESSAGES FROM THE SENATE

April 10, 1982

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4705, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 50,
 HOUSE CONCURRENT RESOLUTION NO. 52,
 HOUSE CONCURRENT RESOLUTION NO. 53,
 SENATE BILL NO. 4705,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4705.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 4996, by Senator Gould:

Relating to joint operating agencies.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and Engrossed Senate Bill No. 4996 was advanced to second reading and read the second time in full.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Williams, Barnes and Garson spoke in favor of passage of the bill, and Representatives Nelson (D), King (R) and Wang spoke against it.

Mr. Nelson (G) demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4996, and the bill passed the House by the following vote: Yeas, 60; nays, 35; not voting, 3.

Voting yea: Representatives Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Galloway, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, McCormick, McDonald, McGinnis, Monohon, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Van Dyken, Vander Stoep, Williams, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Garrett, Grimm, Heck, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Nelson D., North, O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Valle, Walk, Wang, Warnke.

Not voting: Representatives Mitchell, Padden, Scott.

Engrossed Substitute Senate Bill No. 4996, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), Engrossed Substitute Senate Bill No. 4996 was ordered immediately transmitted to the Senate.

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

ELECTION OF CHIEF CLERK

On motion of Mr. Nelson (G), a unanimous ballot was cast to declare the Office of Chief Clerk vacant for the purpose of electing a Chief Clerk.

POINT OF PERSONAL PRIVILEGE

Mr. Nelson (G): "Mr. Speaker, for the last week we have been served by a lady who, I think, has just done a tremendous job of keeping order at the bar of the House. One who certainly has done a tremendous job during the final week in which we undergo an awful lot of pressure processing papers that very few of us ever really see. I'd like to compliment Patsy Williams for a great job of keeping things in order, especially all those pieces of paper that are amendments to these bills. They quite often end up coming up late and require a great deal of expediting, and I think the body should recognize the tremendous work she has done for us."

POINT OF PERSONAL PRIVILEGE

Mr. Williams: "I would like to add to Representative Nelson's remarks. We really need to take this opportunity to congratulate Patsy for the fine job she has done in taking over in a

very hectic time of the session and being able to keep order up there, particularly with the tremendous amount to do and the large amount of paperwork. It is significant that Patsy stepped into the Chief Clerk's position, after being unanimously elected, as the youngest Chief Clerk we have had in the House. That she did this, I think, speaks well for her integrity. She was recognized by both sides of the aisle as someone who would fill in the role at a very key time of the session and do an excellent job. Pasty has had the opportunity to work for the house for a little over three years and she has been a secretary; worked in the office of the ombudsman; she has been a researcher; assistant to the Chief Clerk and Chief Clerk. Mr. Speaker, I asked her what she wants to do next, and I think maybe you should worry a little because she informed me her next goal is to be Speaker since it does not require a person to be elected."

The Speaker declared that nominations for the office of Chief Clerk were in order.

Mr. Nelson (G) nominated Franz J. Wiechers—Gregory for the position of Chief Clerk.

On motion of Mr. Struthers, the nominations were closed.

On motion of Mr. Nelson (G), a unanimous ballot was cast for Franz J. Wiechers—Gregory for Chief Clerk.

ELECTION OF ASSISTANT CHIEF CLERK

The Speaker declared that nominations for the office of Assistant Chief Clerk were in order.

POINT OF ORDER

Mr. O'Brien: "I'm looking at Rule 3, and I don't see any provision for Assistant Chief Clerk. It would appear to me that you would have to amend Rule 3 to provide for the election of Assistant Chief Clerk."

SPEAKER'S RULING

The Speaker: "Representative O'Brien, the House can elect any officer without having it specifically mentioned in the House Rules."

Mr. Amen nominated Donald Meyer for the office of Assistant Chief Clerk.

On motion of Mr. Struthers, the nominations were closed and a unanimous ballot was cast for Donald Meyer for Assistant Chief Clerk.

The Speaker instructed the Sergeant at Arms to escort Franz J. Wiechers—Gregory and Donald Meyer to the rostrum. The Speaker administered the oath of office to them.

MESSAGE FROM THE SENATE

April 10, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 4996,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 4996.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 54, by Representative Nelson (G):

Notifying Governor the Legislature is about to adjourn sine die.

On motion of Mr. Nelson (G), the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 54, the Speaker appointed Representatives Gallagher, O'Brien, Flanagan and Amen to notify the Governor that the Legislature was about to adjourn sine die.

RESOLUTION

HOUSE RESOLUTION NO. 82-176, by Representatives McDonald, Heck, Dawson and Pruitt:

WHEREAS, The state's higher education institutions are a source of knowledge that can be applied to the solving of the state's economic and social problems; and

WHEREAS, The development and administration of public policy by state government is enhanced through the availability of the best possible knowledge base; and

WHEREAS, The important knowledge resource of our higher education institutions is not readily available to state policy makers and administrators; and

WHEREAS, Other states have developed means to focus higher education resources to assist in solving public problems;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the potential of focusing higher education resources in assisting state government, through some readily available means, be studied by the Council for Postsecondary Education and a report provided to the 1983 regular session of the Legislature; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Council for Postsecondary Education.

On motion of Mr. McDonald, House Resolution No. 82-176 was adopted.

HOUSE RESOLUTION NO. 82-175, by Representatives Nelson (G) and Ehlers:

WHEREAS, The 1982 1st Special Session of the Forty-Seventh Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period prior to the next session; and

BE IT RESOLVED, By the House of Representatives, That there is hereby created the Executive Rules Committee, which shall consist of the Speaker and seven additional members who shall be appointed by the Speaker from the Rules Committee. The Chief Clerk of the House shall be the nonvoting secretary of the Committee; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee is authorized to assign subject matters to authorized committees for study during the interim, and the Speaker is authorized to create special and select committees as may be necessary to carry out the functions, including interim studies, of the House in an orderly manner and appoint members thereto with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That during the interim the Executive Rules Committee shall authorize schedules and locations for meetings of any authorized committee or subcommittee, and such committees or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That during the interim authorized committees shall have the power of subpoena, the power to administer oaths and the power to issue commissions for the examination of witnesses in accordance with the provisions of Chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is directed to complete the work of the 1982 1st Special Session of the Forty-Seventh Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms is hereby directed to complete the necessary work of the 1982 1st Special Session of the Forty-Seventh Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk are hereby authorized and directed to retain such additional employees as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for any other business of the House of Representatives; and

BE IT FURTHER RESOLVED, That neither the Speaker nor the Chief Clerk shall approve or sign any personal service contract without the express approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diem, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Chief Clerk of the House of Representatives and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

WHEREAS, New developments in legislative processes and administration are constantly occurring; and

WHEREAS, The substantive matters requiring legislative action are becoming increasingly complex; and

WHEREAS, The Council of State Governments, the National Conference of State Legislatures, and other organizations are offering a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in such activities by members of the House and legislative staff will benefit the House in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker may authorize the attendance of members and staff members at such courses or meetings as may be deemed pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

BE IT FURTHER RESOLVED, That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursements to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

BE IT FURTHER RESOLVED, That employees of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the Legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerk is hereby authorized and directed, during the interim, and as authorized by the Speaker and the Employment Committee, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That after the adjournment of the 1982 1st Special Session of the Forty-Seventh Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending flowers in the event of a bereavement in a Representative's or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. Nelson (G), House Resolution No. 82-175 was adopted.

HOUSE RESOLUTION NO. 82-183, by Representative Nelson (G):

BE IT RESOLVED, By the House of Representatives, That all bills, memorials and resolutions introduced in the House of Representatives during the course of the 47th Legislature are hereby indefinitely postponed.

On motion of Mr. Nelson (G), House Resolution No. 82-183 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 82-181, by Representative Nelson (G):

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House is ready to adjourn sine die.

On motion of Mr. Nelson (G), House Resolution No. 81-181 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Resolution No. 82-181, the Speaker appointed Representatives Chandler, Eberle and Salatino to notify the Senate that the House was ready to adjourn sine die.

COMMITTEE FROM SENATE

A special committee from the Senate, consisting of Senators Hansen, Hemstad and Fuller, appeared at the bar of the House and reported that the Senate was ready to adjourn sine die.

The report was received and the committee returned to the Senate.

MESSAGE FROM THE SENATE

April 10, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 54,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 54.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was about to adjourn sine die.

The report was received and the committee was discharged.

The Speaker and Representatives Ehlers and Heck thanked the staff for their work during the session, and spoke of the cooperation between the caucuses.

On motion of Mr. Nelson (G), reading of the Journal of the Thirtieth Day of the 1982 First Special Session of the Forty-seventh Legislature was dispensed with and it was ordered to stand approved.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had informed the Senate that the House was ready to adjourn sine die.

The report was received and the committee was discharged.

MESSAGES FROM THE SENATE

April 10, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 54,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1982

Mr. Speaker:

In accordance with House Concurrent Resolution No. 53, the Senate herewith transmits the following House measures:

SUBSTITUTE HOUSE BILL NO. 1,
 SUBSTITUTE HOUSE BILL NO. 17,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 312,
 SUBSTITUTE HOUSE BILL NO. 612,
 ENGROSSED HOUSE BILL NO. 755,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 857,
 SUBSTITUTE HOUSE BILL NO. 869,
 REENGROSSED HOUSE BILL NO. 885,
 REENGROSSED SUBSTITUTE HOUSE BILL NO. 926,
 HOUSE BILL NO. 933,
 HOUSE BILL NO. 935,
 SUBSTITUTE HOUSE BILL NO. 977,
 HOUSE BILL NO. 991,
 ENGROSSED HOUSE BILL NO. 1002,
 SUBSTITUTE HOUSE BILL NO. 1014,
 HOUSE BILL NO. 1023,
 ENGROSSED 2ND SUBSTITUTE HOUSE BILL NO. 1103,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1105,
 SUBSTITUTE HOUSE BILL NO. 1140,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1141,
 SUBSTITUTE HOUSE BILL NO. 1158,
 SUBSTITUTE HOUSE BILL NO. 1216,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1217,
 HOUSE BILL NO. 1231.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House of Representatives of the 1982 First Special Session of the Forty-seventh Legislature adjourned sine die.

PATRICIA M. WILLIAMS, Chief Clerk

WILLIAM M. POLK, Speaker

FIRST DAY
1982 SECOND SPECIAL SESSION

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, June 26, 1982.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Galloway, King (J), McGinnis, Teutsch, Thompson, Warnke and Williams. Representatives Galloway, Teutsch, Warnke and Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Belinda McPherson and Leif Wahlborg. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

MESSAGES FROM THE SECRETARY OF STATE

The Honorable,
Speaker of the House of Representatives
The Legislature of the State of Washington
Olympia, Washington
Mr. Speaker:

I, Ralph Munro, do hereby certify that the attached is a full, true and correct copy of the appointment of Jim Lyon by the King County Council to fill the unexpired term in the position of State Representative, 44th District, caused by the resignation of Steve Tupper.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this twenty-sixth day of June, 1982.

(Seal)

Ralph Munro, Secretary of State.

June 21, 1982

Mr. Bill Polk, Speaker
House of Representatives
Olympia, Washington
Dear Mr. Polk:

The King County Council in regular session today confirmed the appointment of Jim Lyon to the vacancy in the House of Representatives for the 44th Legislative District, to be effective June 21, 1982.

Sincerely,
Dorothy M. Owens
Deputy Clerk of the Council

June 24, 1982

The Honorable William Polk
Speaker of the House of Representatives
Olympia, Washington
Dear Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington and custodian of the official seal of the State, do hereby certify that the attached copy of the Proclamation of the Governor calling an extraordinary session of the Legislature of the State of Washington to convene on the 26th Day of June, 1982, is a true, correct and complete copy of the original of said proclamation now on file in this office.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the State of Washington. Done at the Capitol in Olympia on the 24th Day of June, 1982.

(Seal)

Ralph Munro, Secretary of State

PROCLAMATION BY THE GOVERNOR

The State of Washington is in a fiscal and budgetary crisis. Revenues continue to fall short of previously anticipated levels, and will not meet the needs of the state and its people. It

is therefore necessary for me to convene the legislature in extraordinary session for the purpose of modifying laws relating to the revenues and expenditures of the state.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 and Article III, Section 7 of the State Constitution, do hereby convene the Washington State Legislature in extraordinary session in the Capitol at Olympia at 9:00 a.m. on June 26, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th date of June, A.D., nineteen hundred and eighty-two.

(Seal)

JOHN SPELLMAN, Governor

MESSAGE FROM THE GOVERNOR

June 26, 1982

To the 47th Legislature in its Second Extraordinary Session of 1982

Only twice before in the history of Washington has its legislature been called into a summer session in an election year. And never before in the history of our state has a legislature had to deal with an emergency as profound and protracted as the budget crisis that has brought the 47th Legislature back to Olympia for its fourth special session.

During the past two weeks, your leadership and I have been meeting regularly in order to lay the foundation for a bipartisan, bicameral solution to the crisis we face. These meetings have been characterized by a tremendous spirit of cooperation, and great progress toward consensus has been the fruit of our labor. It is my fervent hope that this spirit will continue and will ensure a successful session.

Each of us may have a pet plan for resolving this emergency - a plan that reflects our personal philosophies or the desires of our political constituencies. But such concerns must now yield to the spirit of cooperation that has emerged. The likelihood that any individual point of view will find a complete victory in this special session is minimal.

This special session presents the opportunity to mitigate the across-the-board chaos of an 8.2 percent reduction in state services. The executive order imposing those cuts defined the "worst case;" it is the fourth such order I have had to issue in compliance with state law.

Some improvement of this situation is better than no improvement. Any solution is better than no solution.

I assure you of my support for any solution that, together, we are able to achieve. And I wish you Godspeed in your crucial deliberations.

JOHN SPELLMAN, Governor

RESOLUTION

HOUSE RESOLUTION NO. 82-184, by Representatives Nelson (G) and Ehlers:

BE IT RESOLVED, That the Speaker appoint a committee of three members of the House to notify the Senate that the House of Representatives is now organized and ready to conduct business.

On motion of Mr. Nelson (G), House Resolution No. 82-184 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Barr, Greengo and Rinehart to notify the Senate that the House was organized and ready for business.

SPECIAL COMMITTEE FROM SENATE

A Special Committee from the Senate, consisting of Senators Ridder, Charnley and Metcalf, appeared at the bar of the House and reported that the Senate was organized and ready for business.

The report was received and the committee returned to the Senate.

FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 55, by Representatives Nelson (G) and Ehlers:

Notifying the Governor that Legislature is organized and ready to conduct business.

On motion of Mr. Nelson (G), the rules were suspended, and House Concurrent Resolution No. 55 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the resolution was adopted.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready for business.

The report was received and the committee was discharged.

APPOINTMENT OF SPECIAL COMMITTEE

In compliance with the terms of House Concurrent Resolution No. 55, the Speaker appointed Representatives Cantu, Stratton and Fancher to notify the Governor that the Legislature was organized and ready to do business.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready for business.

The report was received and the committee was discharged.

The Speaker declared the House to be recessed until 3:30 p.m.

AFTERNOON SESSION

The House was called to order at 3:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Galloway, Teutsch, Warnke and Williams, who were excused.

MESSAGE FROM THE SENATE

June 26, 1982

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 55,

and the same is herewith transmitted.

Marilyn Brachtenbach, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 55.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 1:30 p.m., Sunday, June 27, 1982.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk

SECOND DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, June 27, 1982.

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Sprague, Teutsch and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sara Cantu and John Greengo. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

Mr. Nelson (G) demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Sprague, Teutsch and Williams.

On motion of Mr. Nelson (G), the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGES FROM THE SENATE

June 27, 1982

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 55,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 27, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 151,

and the same is herewith transmitted.

Marilyn Brachtenbach, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1237, by Representatives Rinehart, Brown, Burns, Gallagher, Lux, Maxie, O'Brien, Pruitt, Rust, Salatino, Valle, Warnke, Wang, Hine, Martinis and Erak:

AN ACT Relating to excise taxes; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and declaring an emergency.

HOUSE BILL NO. 1238, by Representatives Rinehart, Armstrong, Brown, O'Brien, Pruitt, Rust, Salatino, Valle, Warnke and Winsley:

AN ACT Relating to department of social and health services' licensing fees; amending section 2, chapter 201, Laws of 1982 and RCW 43.20A.____; and declaring an emergency.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1239, by Representatives Taylor, Burns, Gallagher, Isaacson, Johnson, Leonard, Lux, Maxie, McCormick, Mitchell, Padden, Pruitt Rust, Salatino, Van Dyken, Wang, Warnke, Wilson, Winsley, Hine, Martinis and Erak:

AN ACT Relating to exemptions from the retail sales and use tax for the feeding of the poor and infirm; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and declaring an emergency.

HOUSE BILL NO. 1240, by Representatives Monohon and Gallagher:

AN ACT Relating to the establishment and operation of a state lottery; adding a new chapter to Title 67 RCW; adding a new section to chapter 9.46 RCW; creating new sections; prescribing penalties; and making an appropriation.

HOUSE BILL NO. 1241, by Representatives Sommers, Flanagan, Rinehart, Greengo, Rust, Amen, Nelson (D), Smith, Monohon, Stratton, Lewis, Clayton, Erak, Lux, McCormick, Tilly, Dickie and Brekke:

AN ACT Relating to watercraft; amending section 84.36.080, chapter 15, Laws of 1961 and RCW 84.36.080; amending section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090; adding new sections to chapter 82.48 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 88 RCW; prescribing penalties; and providing an effective date.

HOUSE BILL NO. 1242, by Representatives Mitchell, Patrick, Fiske, Wilson, Greengo, Van Dyken, Berleen, Houchen, Pruitt and Cantu:

AN ACT Relating to revenue and taxation; amending section 31, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.02.—; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 26, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.44.020; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; repealing section 28, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08...; repealing section 29, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.12...; repealing section 33, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08...; repealing section 34, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.12...; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1243, by Committee on Revenue and Representatives Greengo, Thompson, Ellis, Heck, Patrick, Becker, Barnes, King (J), Berleen, Armstrong, Erak, Martinis, Gallagher, Hine, Isaacson, McCormick, Pruitt, Rust, Sherman, Van Dyken, Maxie, Johnson, Sanders, Rinehart, Addison, Taylor, Galloway, Barr, Hankins, Wang, Nelson (G), Lewis, Padden, Leonard, Owen, Brekke, Cole and Mitchell:

AN ACT Relating to exemptions from the retail sales and use tax for the feeding of the poor and infirm; amending section 28, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.—; amending section 29, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.12.—; and declaring an emergency.

HOUSE BILL NO. 1244, by Representatives King (J), Heck, Chamberlain and Galloway:

AN ACT Relating to sales and use tax exemptions; and amending section 39, chapter 37, Laws of 1980 as amended by section 1, chapter 5, Laws of 1982 1st ex. sess. and RCW 82.08.0273.

HOUSE BILL NO. 1245, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to equalization of timber taxes on public and private property; amending section 3, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.030; amending section 1, chapter 347, Laws of 1977 ex. sess. as last amended by section 1, chapter 148, Laws of 1981 and RCW 84.33.071; amending section 1, chapter 146, Laws of 1981 and RCW 84.33.073; creating a new section; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1246, by Committee on Ways and Means and Representatives Nelson (G), Isaacson, Kaiser and Stratton:

AN ACT Relating to the state correctional institution; adding a new section to chapter 72.13 RCW; repealing section 9, chapter 214, Laws of 1959 and RCW 72.13.090; and declaring an emergency.

HOUSE BILL NO. 1247, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to termination of certain excise tax exemptions and deferrals; amending section 16, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.160; and creating a new section.

HOUSE BILL NO. 1248, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to public utility taxation; amending section 82.16.020, chapter 15, Laws of 1961 as last amended by section 5, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.16.020; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1249, by Committee on Ways and Means and Representative Struthers:

AN ACT Relating to social and health services; amending section 1, chapter 2, Laws of 1981 1st ex. sess. as last amended by section 2, chapter 19, Laws of 1982 1st ex. sess. and RCW 74.09.610; and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 151, by Senators Hayner, Jones, Bottiger and Fleming:

Limiting subject matter during 1982 Second Special Session of the 47th Legislature, and setting adjournment date.

MOTION

Mr. Nelson (G) moved that the rules be suspended, and House Bill No. 1243, House Bill No. 1245, House Bill No. 1246, House Bill No. 1247, House Bill No. 1248, House Bill No. 1249 and Senate Concurrent Resolution No. 151 be advanced to second reading and placed on the second reading calendar.

Representatives Nelson (G) and Ehlers spoke in favor of the motion, and it was carried.

SECOND READING

HOUSE BILL NO. 1247, by Committee on Ways and Means and Representative Chandler:

Modifying repayment schedules under the economic assistance act.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Chandler and Greengo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1247, and the bill passed the House by the following vote: Yeas, 60; nays, 35; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Brown, Burns, Chamberlain, Chandler, Cole, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Garson, Granlund, Greengo, Grimm, Hastings, Johnson, Kaiser, Kreidler, Lewis, Lux, Lyon, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Sherman, Sommers, Struthers, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Barrett, Bond, Brekke, Cantu, Clayton, Dawson, Dickie, Eberle, Flanagan, Galloway, Garrett, Hankins, Heck, Hine, Houchen, Isaacson, James, King J., King R., Leonard, Lundquist, Martinis, Maxie, McCormick, McGinnis, Nickell, Owen, Padden, Salatino, Schmidt, Scott, Smith, Stratton, Taylor, Wilson.

Not voting: Representatives Sprague, Teutsch, Williams.

House Bill No. 1247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1245, by Committee on Ways and Means and Representative Chandler:

Extending the timber tax to timber harvested from public lands.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Greengo spoke in favor of passage of the bill, and Mr. Scott spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1245, and the bill passed the House by the following vote: Yeas, 51; nays, 44; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Brekke, Brown, Burns, Chandler, Cole, Dawson, Dickie, Eberle, Ehlers, Eng, Fiske, Flanagan, Galloway, Garson, Greengo, Grimm, Hastings, Hine, Johnson, Kreidler, Lewis, Lundquist, Lux, Lyon, Maxie, McCormick, McDonald, Mitchell, Nelson D., Nelson G. A., Nisbet, O'Brien, Patrick, Prince, Pruitt, Rinchart, Salatino, Sanders, Sherman, Sommers, Struthers, Valle, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Barrett, Becker, Bender, Berleen, Bickham, Bond, Cantu, Chamberlain, Clayton, Ellis, Erak, Fancher, Gallagher, Garrett, Granlund, Hankins, Heck, Houchen, Isaacson, James, Kaiser, King J., King R., Leonard, Martinis, McGinnis, Monohon, Nickell, North, Owen, Padden, Rosbach, Rust, Schmidt, Scott, Smith, Stratton, Taylor, Thompson, Tilly, Van Dyken, Vander Stoep, Warnke, Wilson.

Not voting: Representatives Sprague, Teutsch, Williams.

House Bill No. 1245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), House Bill No. 1247 and House Bill No. 1245 were ordered immediately transmitted to the Senate.

MESSAGE FROM THE SENATE

June 27, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5013,
SENATE BILL NO. 5014,
SENATE BILL NO. 5015,
SENATE BILL NO. 5016,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Nelson (G), the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

SENATE BILL NO. 5013, by Senators Shinpoch, Gould and McDermott:

Taxing the consumption and use of electrical energy.

SENATE BILL NO. 5014, by Senators Shinpoch, Gould, Scott and McDermott:

Modifying the taxation of electrical energy.

SENATE BILL NO. 5015, by Senators Shinpoch, Scott and McDermott:

Increasing the insurance premiums tax.

SENATE BILL NO. 5016, by Senators Scott and McDermott:

Delaying inventory tax credit for 1983.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and the bills listed on the supplemental agenda under the fourth order of business were advanced to second reading and placed on the second reading calendar.

Representative Sprague appeared at the bar of the House.

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1248, by Committee on Ways and Means and Representative Chandler:

Modifying the public utility tax rate of natural gas distributors.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 57; nays, 39; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Becker, Bender, Berleen, Bickham, Brekke, Burns, Chamberlain, Chandler, Cole, Dawson, Ehlers, Ellis, Eng, Erak, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Johnson, Kaiser, King J., King R., Kreidler, Lewis, Lux, Lyon, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nisbet, North, O'Brien, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sherman, Sommers, Struthers, Thompson, Tilly, Valle, Vander Stoep, Walk, Wang, Winsley.

Voting nay: Representatives Addison, Barrett, Bond, Brown, Cantu, Clayton, Dickie, Eberle, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Hankins, Hine, Houchen, Isaacson, James, Leonard, Lundquist, Martinis, Maxie, McCormick, Nelson D., Nickell, Owen, Padden, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Taylor, Van Dyken, Warnke, Wilson, and Mr. Speaker.

Not voting: Representatives Teutsch, Williams.

House Bill No. 1248, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1243, by Committee on Revenue and Representatives Greengo, Thompson, Ellis, Heck, Patrick, Becker, Barnes, King (J), Berleen, Armstrong, Erak, Martinis, Gallagher, Hine, Isaacson, McCormick, Pruitt, Rust, Sherman, Van Dyken, Maxie, Johnson, Sanders, Rinehart, Addison, Taylor, Galloway, Barr, Hankins, Wang, Nelson (G), Lewis, Padden, Leonard, Owen, Brekke, Cole and Mitchell:

Exempting the purchase of food by food banks from sales and use tax.

The bill was read the second time.

The Clerk read the following amendment by Representatives Greengo and Armstrong:

On page 1, line 21 after "act" strike "and" and insert "or"

With the consent of the House, Mr. Greengo withdrew the amendment.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Greengo spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Greengo yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Greengo, for the purpose of establishing the intent of this bill, does the definition of 'food bank' require that in order to qualify as a food bank you must use and distribute food products and food coupons?"

Mr. Greengo: "No. An organization which distributes either food or food coupons or both qualifies as long as it is solely for the feeding of the poor and infirm. That's the key problem we are trying to get at."

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1243, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Lyon, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott,

Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Teutsch, Williams.

House Bill No. 1243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1249, by Committee on Ways and Means and Representative Struthers:

Modifying provisions relating to the nursing home auditing and cost reimbursement system.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Struthers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1249, and the bill passed the House by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barr, Becker, Brekke, Brown, Chamberlain, Chandler, Cole, Dawson, Ehlers, Eng, Erak, Fancher, Flanagan, Galloway, Garson, Granlund, Grimm, Hankins, Hastings, Heck, Johnson, Kaiser, Kreidler, Lewis, Lux, Lyon, Martinis, McCormick, McDonald, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Patrick, Rosbach, Rust, Salatino, Sanders, Sherman, Smith, Sommers, Struthers, Thompson, Van Dyken, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barrett, Bender, Berleen, Bickham, Bond, Burns, Cantu, Clayton, Dickie, Eberle, Ellis, Fiske, Gallagher, Garrett, Greengo, Hine, Houchen, Isaacson, James, King J., King R., Leonard, Lundquist, Maxie, McGinnis, Nelson D., North, O'Brien, Owen, Padden, Prince, Pruitt, Rinehart, Schmidt, Scott, Sprague, Stratton, Taylor, Tilly, Valle, Vander Stoep, Warnke, Wilson.

Not voting: Representatives Teutsch, Williams.

House Bill No. 1249, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Nelson (G), House Bill No. 1243, House Bill No. 1248 and House Bill No. 1249 were ordered immediately transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 151, by Senators Hayner, Jones, Bottiger and Fleming:

Limiting subject matter during 1982 Second Special Session of the 47th Legislature and setting adjournment date.

The resolution was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The Speaker stated the question before the House to be Senate Concurrent Resolution No. 151 on second reading.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Mr. Nelson (G) yielded to question by Mr. Ehlers.

Mr. Ehlers: "Will another concurrent resolution be required under Joint Rule 24 before we can adjourn sine die?"

Mr. Nelson (G): "Representative Ehlers, according to the last paragraph, we are expressing an intent—the legislature is showing an intent—to adjourn sine die no later than 11:00 p.m. on Wednesday, June 30, but yes, it would need an affirmative joint resolution to actually adjourn sine die."

Senate Concurrent Resolution No. 151 was adopted.

MESSAGE FROM THE SENATE

June 27, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1243,
 HOUSE BILL NO. 1245,
 HOUSE BILL NO. 1247,
 HOUSE BILL NO. 1248,
 HOUSE BILL NO. 1249,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1243,
 HOUSE BILL NO. 1245,
 HOUSE BILL NO. 1247,
 HOUSE BILL NO. 1248,
 HOUSE BILL NO. 1249.

HOUSE BILL NO. 1246, by Committee on Ways and Means and Representatives Nelson (G), Isaacson, Kaiser and Stratton:

Repealing the single cell requirement for the Shelton correctional institution and reinstating it July 1, 1985.

The bill was read the second time.

Ms. Becker moved adoption of the following amendment by Representatives Becker, Nisbet and Owen:

On page 1, beginning on line 6 strike all material down to and including "institution" on line 14 and insert the following:

*Section 1. Section 9, chapter 214, Laws of 1959 and RCW 72.13.090 are each amended to read as follows:

Each prisoner in the correctional institution shall be provided with a single cell: PROVIDED, HOWEVER, The governor, at the request of the secretary of the department of corrections, may declare an emergency and authorize double celling in up to one-half of the institution's cells for any period up to and including June 30, 1985. Cells designated for double celling shall be fitted with adequate bedding such that no prisoner shall be required to sleep on the floor: PROVIDED FURTHER, That multiple type living arrangements may be provided in forestry or other labor camps maintained in conjunction with the institution.*

Representatives Becker and Owen spoke in favor of the amendment, and Representative Houchen spoke against it.

The amendment was not adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson (G) spoke in favor of passage of the bill, and Mr. Owen spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1246, and the bill passed the House by the following vote: Yeas, 86; nays, 10; not voting, 2.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Leonard, Lewis, Lundquist, Lux, Lyon, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, North, O'Brien, Padden, Patrick, Prince, Pruitt, Rosbach, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Becker, Brekke, Cole, King R., Kreidler, Nelson D., Owen, Rinehart, Rust, Wang.

Not voting: Representatives Teutsch, Williams.

House Bill No. 1246, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5014, by Senators Shipoch, Gould, Scott and McDermott:

Modifying the taxation of electrical energy.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Barnes spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5014, and the bill passed the House by the following vote: Yeas, 50; nays, 46; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Becker, Brekke, Burns, Chamberlain, Chandler, Cole, Ehlers, Ellis, Eng, Fiske, Galloway, Garrett, Garson, Grengo, Grimm, Heck, Houchen, Johnson, Kaiser, King J., King R., Kridler, Lux, Lyon, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Patrick, Prince, Rinehart, Rosbach, Rust, Salatino, Sherman, Sommers, Struthers, Thompson, Valle, Vander Stoep, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Bond, Brown, Cantu, Clayton, Dawson, Dickie, Eberle, Erak, Fancher, Flanagan, Gallagher, Granlund, Hankins, Hastings, Hine, Isaacson, James, Leonard, Lewis, Lundquist, Martinis, Maxie, McCormick, McGinnis, Nickell, Owen, Padden, Pruitt, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Taylor, Tilly, Van Dyken, Warnke, Wilson.

Not voting: Representatives Teutsch, Williams.

Senate Bill No. 5014, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5015, by Senators Shipoch, Scott and McDermott:

Increasing the insurance premiums tax.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5015, and the bill passed the House by the following vote: Yeas, 60; nays, 36; not voting, 2.

Voting yea: Representatives Amen, Armstrong, Barnes, Becker, Bender, Bickham, Brekke, Brown, Burns, Chamberlain, Chandler, Cole, Ehlers, Ellis, Eng, Erak, Fancher, Gallagher, Garson, Granlund, Grengo, Grimm, Heck, Hine, Johnson, Kaiser, King J., King R., Kridler, Lewis, Lux, Lyon, McCormick, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nisbet, North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sherman, Sommers, Struthers, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barr, Barrett, Berleen, Bond, Cantu, Clayton, Dawson, Dickie, Eberle, Fiske, Flanagan, Galloway, Garrett, Hankins, Hastings, Houchen, Isaacson, James, Leonard, Lundquist, Martinis, Maxie, McGinnis, Nickell, Padden, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Taylor, Tilly, Van Dyken, Wilson.

Not voting: Representatives Teutsch, Williams.

Senate Bill No. 5015, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF INQUIRY

Mr. Struthers yielded to question by Mr. Ehlers.

Mr. Ehlers: "Representative Struthers, is the lottery bill House Bill No. 1251 which is out of Committee on Human Services by Representative Struthers and Monohon?"

Mr. Struthers: "Mr. Minority Leader, you are absolutely right. There are a lot of benefits in here for those people who are needy and this is designed to aid those people. That's why we brought it out of the Human Services Committee."

MOTIONS

On motion of Mr. Nelson (G), the House dispensed with business under the Call of the House.

On motion of Mr. Nelson (G), the House adjourned until 10:00 a.m., Monday, June 28, 1982.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk

THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Monday, June 28, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eng, Teutsch, Williams and Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cindy Bechtle and Rob Cormier. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

June 28, 1982

The President has signed:

HOUSE BILL NO. 1243,
HOUSE BILL NO. 1245,
HOUSE BILL NO. 1247,
HOUSE BILL NO. 1248,
HOUSE BILL NO. 1249,
SENATE BILL NO. 5014,
SENATE BILL NO. 5015,

SENATE CONCURRENT RESOLUTION NO. 151,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 5014,
SENATE BILL NO. 5015,
SENATE CONCURRENT RESOLUTION NO. 151.

The Speaker declared the House to be at ease until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Teutsch and Williams, who were excused.

Mr. Hastings demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Teutsch and Williams.

On motion of Mr. Struthers, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTIONS

On motion of Mr. Nelson (G), the House dispensed with further business under the Call of the House.

On motion of Mr. Nelson (G), the House was recessed until 8:00 p.m.

EVENING SESSION

The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Teutsch and Williams who were excused.

MESSAGE FROM THE SENATE

June 28, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5021,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1250, by Representatives Hastings, Isaacson, Cantu, James, Leonard, Schmidt, Dawson, Wilson, Flanagan, Clayton, Nickell, Johnson, Bond, Berleen, Fancher and Eberle:

AN ACT Relating to budget and accounting procedures; amending section 43.88.030, chapter 8, Laws of 1965 as last amended by section 3, chapter 270, Laws of 1981 and RCW 43.88.030; amending section 43.88.080, chapter 8, Laws of 1965 as amended by section 5, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.080; and creating a new section.

HOUSE BILL NO. 1251, by Committee on Human Services and Representatives Struthers, Monohon, Erak, Owen, Ehlers, Heck, King (J), Martinis, Brown, Warnke, Sherman, Gallagher, McCormick and Stratton:

AN ACT Relating to the establishment and operation of a state lottery; creating new sections; adding a new chapter to Title 67 RCW; adding a new section to chapter 9.46 RCW; providing an expiration date; providing penalties; making appropriations; and declaring an emergency.

HOUSE BILL NO. 1252, by Representatives Warnke, Patrick, Erak, Brown and Hine:

AN ACT Relating to the Washington public employees retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 6, chapter 256, Laws of 1981 and RCW 41.40.010; and repealing section 1, chapter 23, Laws of 1973 and RCW 41.40.450.

HOUSE BILL NO. 1253, by Committee on Ways and Means and Representative Chandler:

AN ACT Relating to the capitol purchase and development account; amending section 1, chapter 170, Laws of 1913 as last amended by section 2, chapter 105, Laws of 1967 ex. sess. and RCW 79.16.180; amending section 79, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.____; amending section 9, chapter 167, Laws of 1961 as last amended by section 12, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.580; amending section 8, chapter 105, Laws of 1967 ex. sess. as amended by section 7, chapter 273, Laws of 1969 ex. sess. and RCW 79.24.638; providing an effective date; and declaring an emergency.

HOUSE JOINT MEMORIAL NO. 27, by Committee on Labor and Economic Development and Representatives Eberle, Hastings, Sanders and Owen:

Requesting Congress to amend the Constitution to require a balanced federal budget.

SENATE BILL NO. 5021, by Senator Scott:

Modifying appropriations for the 1982-83 fiscal biennium.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and Senate Bill No. 5021 was advanced to second reading and read the second time in full.

Mr. Chandler moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 4, chapter 340, Laws of 1981 as last amended by section 2, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ((1,303,000))
1,149,000

The appropriation in this section is subject to the following condition(~~s~~ and) or limitation(s): ((~~+~~)) \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

~~((2) \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Recongrossed Senate Bill No. 3609. Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.))~~

Sec. 2. Section 5, chapter 340, Laws of 1981 as last amended by section 3, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM
COMMITTEE
General Fund Appropriation \$ ~~((1,145,000))~~
1,116,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as last amended by section 4, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY
General Fund Appropriation \$ ~~((287,000))~~
280,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as last amended by section 5, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE
General Fund Appropriation \$ ~~((4,147,000))~~
4,043,000

Sec. 5. Section 8, chapter 340, Laws of 1981 as last amended by section 6, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT
General Fund Appropriation \$ ~~((5,630,000))~~
5,522,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as last amended by section 7, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY
General Fund Appropriation \$ ~~((1,608,000))~~
1,568,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as last amended by section 8, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS
General Fund Appropriation \$ ~~((7,720,000))~~
7,527,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as last amended by section 9, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS
General Fund Appropriation \$ ~~((10,295,000))~~
10,222,000
General Fund—Judiciary Education Account Appropriation \$ 359,000
Total Appropriation \$ ~~((10,654,000))~~
10,581,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$~~((310,000))~~ 280,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as last amended by section 10, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$	((129,000))
		<u>126,000</u>

The appropriation in this section is subject to the following condition or limitation: \$((129,000)) 126,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as last amended by section 11, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$	((3,099,000))
		<u>3,022,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 11. Section 14, chapter 340, Laws of 1981 as last amended by section 12, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$	((112,569,000))
		<u>112,515,000</u>
General Fund Appropriation—Federal	\$	20,446,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund		
Appropriation	\$	40,972,000
Total Appropriation	\$	((173,987,000))
		<u>173,933,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$((2,180,000)) 2,126,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$100,984,000 of general fund moneys (including \$15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): PROVIDED, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): PROVIDED, That increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on April 20, 1982.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 12. Section 15, chapter 340, Laws of 1981 as last amended by section 13, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((197,000))
		<u>192,000</u>

Sec. 13. Section 16, chapter 340, Laws of 1981 as last amended by section 14, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,730,000))
		<u>3,674,000</u>
Archives and Records Management Account Appropriation	\$	1,135,000
Total Appropriation	\$	((4,865,000))
		<u>4,809,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$24,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs		
General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Commission on Asian-American Affairs		
General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Governor's Office of Indian Affairs		
General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Total Appropriation	\$	((315,000))
		<u>306,000</u>

The appropriations in this section are subject to the following condition and limitation: The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements.

Sec. 15. Section 19, chapter 340, Laws of 1981 as last amended by section 18, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((1,849,000))
		<u>1,803,000</u>
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	5,265,000
Total Appropriation	\$	((7,781,000))
		<u>7,735,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 16. Section 20, chapter 340, Laws of 1981 as amended by section 20, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((3,956,000))
		<u>3,857,000</u>
Legal Services Revolving Fund Appropriation	\$	18,537,000
Total Appropriation	\$	((22,493,000))
		<u>22,394,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 17. Section 21, chapter 340, Laws of 1981 as last amended by section 21, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,674,000))
		<u>12,442,000</u>
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((18,974,000))
		<u>18,742,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) \$1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

Sec. 18. Section 24, chapter 340, Laws of 1981 as last amended by section 23, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((386,000))
		<u>376,000</u>

Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	(804,000) 794,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 19. Section 25, chapter 340, Laws of 1981 as last amended by section 24, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	(30,000) 29,000
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Sec. 20. Section 26, chapter 340, Laws of 1981 as last amended by section 25, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	(36,074,000) 35,809,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	(38,978,000) 38,713,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the ~~((1982))~~ 1983 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 21. Section 27, chapter 340, Laws of 1981 as last amended by section 26, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	(858,000) 837,000
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Sec. 22. Section 28, chapter 340, Laws of 1981 as last amended by section 27, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	(6,310,000) 6,152,000
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropriation	\$	8,688,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	13,378,000
Total Appropriation	\$	(28,465,000) 28,307,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the

highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 23. Section 29, chapter 340, Laws of 1981 as last amended by section 28, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,043,000))
		<u>6,867,000</u>

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter 9, Laws of 1982 1st ex. sess.

Sec. 24. Section 33, chapter 340, Laws of 1981 as last amended by section 30, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((870,000))
		<u>848,000</u>

Sec. 25. Section 36, chapter 340, Laws of 1981 as last amended by section 31, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((539,000))
		<u>534,000</u>

The appropriation in this section is subject to the following condition or limitation: The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

Sec. 26. Section 37, chapter 340, Laws of 1981 as last amended by section 32, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((62,000))
		<u>60,000</u>

Sec. 27. Section 41, chapter 340, Laws of 1981 as last amended by section 34, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((937,000))
		<u>914,000</u>

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 28. Section 44, chapter 340, Laws of 1981 as last amended by section 35, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((975,000))
		<u>957,000</u>
General Fund Appropriation—Federal	\$	<u>2,227,000</u>
Total Appropriation	\$	((3,202,000))
		<u>3,184,000</u>

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 29. Section 45, chapter 340, Laws of 1981 as last amended by section 36, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,140,000))
		<u>5,987,000</u>
General Fund Appropriation—Federal	\$	<u>1,764,000</u>
Total Appropriation	\$	((7,904,000))
		<u>7,751,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 30. Section 46, chapter 340, Laws of 1981 as last amended by section 37, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation \$ ~~((1,138,000))~~
1,110,000

Sec. 31, Section 48, chapter 340, Laws of 1981 as last amended by section 39, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation \$ ~~((43,419,000))~~
42,299,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$~~((15,038,000))~~ 14,218,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$~~((2,479,000))~~ 2,419,000 is provided solely for intensive parole.

(c) \$~~((21,777,000))~~ 21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowit v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ~~((14,344,000))~~
13,646,000

General Fund—Institutional Impact Account Appropriation \$ 525,000

Total Appropriation \$ ~~((14,869,000))~~
14,171,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in Hoptowit v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowit v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written

report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 32. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	19,010,000
General Fund Appropriation—Federal	\$	57,000
Total Appropriation	\$	19,067,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(35,443,000)
		35,168,000
General Fund Appropriation—Federal	\$	682,000
Total Appropriation	\$	(36,125,000)
		35,850,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	1,889,000
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Sec. 33. Section 50, chapter 340, Laws of 1981 as last amended by section 40, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(52,911,000)
		52,311,000
General Fund Appropriation—Federal	\$	(14,759,000)
		14,660,000
General Fund Appropriation—Local	\$	922,000
Total Appropriation	\$	(68,592,000)
		67,893,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$48,948,000 of which \$34,613,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to

the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) \$19,644,000 of which \$18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((77,511,000))
		77,354,000
General Fund Appropriation—Federal	\$	5,085,000
Total Appropriation	\$	((82,596,000))
		82,439,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(f) It is the intent of the legislature that direct patient care services at mental health institutions not be reduced below the levels existing on June 1, 1982.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 34. Section 51, chapter 340, Laws of 1981 as last amended by section 41, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((46,778,000))
		45,982,000
General Fund Appropriation—Federal	\$	((9,434,000))
		8,934,000
Total Appropriation	\$	((56,212,000))
		54,916,000

((The appropriations in this subsection are subject to the following condition or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982. PROVIDED, That a maximum of \$70,000 of these monies may be expended for start-up costs for group homes. PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.))

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((83,528,000))
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	82,904,000
General Fund Appropriation—Federal	\$ ((49,036,000))
	<u>48,829,000</u>
Total Appropriation	\$ ((132,564,000))
	<u>131,733,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

- (i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;
- (ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;
- (iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;
- (iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;
- (v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;
- (vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and
- (vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$ 984,000
General Fund Appropriation—Federal	\$ 2,397,000
Total Appropriation	\$ 3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$ ((3,056,000))
	<u>2,962,000</u>
General Fund Appropriation—Federal	\$ ((227,000))
	<u>209,000</u>
Total Appropriation	\$ ((3,283,000))
	<u>3,171,000</u>

Sec. 35. Section 52, chapter 340, Laws of 1981 as last amended by section 42, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

General Fund Appropriation—State	\$ ((167,275,000))
	<u>164,790,000</u>
General Fund Appropriation—Federal	\$ ((167,327,000))
	<u>164,842,000</u>
Total Appropriation	\$ ((334,602,000))
	<u>329,632,000</u>

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 36. Section 53, chapter 340, Laws of 1981 as last amended by section 43, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$ ((308,198,000))
	<u>305,304,000</u>
General Fund Appropriation—Federal	\$ ((319,194,000))
	<u>316,762,000</u>
Total Appropriation	\$ ((627,392,000))
	<u>622,066,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to

allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

- (5) It is the assumption of the legislature that the appropriations in this section initially provide:
- (a) \$44,220,000 from federal funds for energy assistance;
 - (b) \$61,220,000 from federal funds for Indochinese refugees;
 - (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
 - (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
 - (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
 - (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
 - (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
 - (h) \$2,116,000 from the state general fund for burial assistance;
 - (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
 - (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 37. Section 54, chapter 340, Laws of 1981 as last amended by section 44, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$	((+31,151,000))
		127,518,000
General Fund Appropriation—Federal	\$	((60,976,000))
		60,904,000
General Fund Appropriation—Local	\$	105,000
Total Appropriation	\$	((+92,232,000))
		188,527,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$41,511,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW 74.08.541, and for the support of programs utilizing volunteers to provide chore services. Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

(2) \$1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

(3) \$13,840,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

(4) \$1,148,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

(5) \$833,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

(6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

(7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 38. Section 55, chapter 340, Laws of 1981 as last amended by section 45, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	(253,219,000)
		245,079,000
General Fund Appropriation—Federal	\$	(212,081,000)
		205,411,000
Total Appropriation	\$	(465,300,000)
		450,490,000

The appropriations in this section are subject to the following conditions or limitations:

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 39. Section 56, chapter 340, Laws of 1981 as amended by section 50, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State	\$	(32,938,000)
		32,738,000
General Fund Appropriation—Federal	\$	(56,028,000)
		49,900,000
General Fund Appropriation—Local	\$	(2,842,000)
		2,922,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Appropriation	\$	10,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979		

ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$	19,900,000
Total Reappropriation	\$	19,900,000
Total New Appropriation	\$	85,323,000
Total Appropriation	\$	((115,700,000))
		<u>115,460,000</u>

Sec. 40. Section 57, chapter 340, Laws of 1981 as last amended by section 46, chapter 50, Laws of 1982
 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State	\$	((15,666,000))
		<u>14,958,000</u>
General Fund Appropriation—Federal	\$	((27,468,000))
		<u>27,419,000</u>
Total Appropriation	\$	((43,134,000))
		<u>42,377,000</u>

Sec. 41. Section 58, chapter 340, Laws of 1981 as last amended by section 47, chapter 50, Laws of 1982
 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((56,017,000))
		<u>48,609,000</u>
General Fund Appropriation—Federal	\$	((44,191,000))
		<u>43,123,000</u>
General Fund—Institutional Impact Account Appropriation	\$	75,000
Total Appropriation	\$	((100,283,000))
		<u>91,807,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to (~~seven~~) thirteen million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 42. Section 59, chapter 340, Laws of 1981 as last amended by section 48, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((100,661,000))
		<u>101,062,000</u>
General Fund Appropriation—Federal	\$	((126,524,000))
		<u>127,275,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((227,233,000))
		<u>228,385,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health services in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 43. Section 61, chapter 340, Laws of 1981 as last amended by section 50, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((14,285,000))
		<u>13,928,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((16,781,000))
		<u>16,424,000</u>

Sec. 44. Section 62, chapter 340, Laws of 1981 as last amended by section 51, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((4,206,000))
		<u>4,101,000</u>
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((32,358,000))
		<u>32,253,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 45. Section 66, chapter 340, Laws of 1981 as last amended by section 53, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State	\$	((7,684,000))
		<u>7,492,000</u>
General Fund—Crime Victims' Compensation Account Appropriation	\$	160,000
Accident Fund Appropriation—State	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((89,721,000))

89,529,000

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$2,630,000 of the general fund—state appropriation is provided solely for victims of crime benefit payments.

Sec. 46. Section 68, chapter 340, Laws of 1981 as last amended by section 55, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((474,000))
		<u>462,000</u>
General Fund Appropriation—Federal	\$	128,000
General Fund—Hospital Commission Account Appropriation	\$	915,000
Total Appropriation	\$	((1,517,000))
		<u>1,505,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 47. Section 69, chapter 340, Laws of 1981 as last amended by section 56, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((1,988,000))
		<u>1,938,000</u>
General Fund Appropriation—Federal	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—Federal	\$	2,231,000
Unemployment Compensation Administration Fund Appropriation	\$	93,132,000
Total Appropriation	\$	((279,830,000))
		<u>279,780,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

Sec. 48. Section 70, chapter 340, Laws of 1981 as amended by section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State	\$	((2,468,000))
		<u>2,406,000</u>
General Fund Appropriation—Federal	\$	5,254,000
Total Appropriation	\$	((7,722,000))
		<u>7,660,000</u>

Sec. 49. Section 71, chapter 340, Laws of 1981 as last amended by section 58, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation	\$	((339,000))
		<u>331,000</u>

General Fund—Local Jail Improvement and Construction Account Appropriation	\$	511,000
Total Appropriation	\$	(850,000) 842,000

Sec. 50. Section 72, chapter 340, Laws of 1981 as last amended by section 59, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	(1,005,000) 980,000
General Fund Appropriation—Federal	\$	4,641,000
Total Appropriation	\$	(5,646,000) 5,621,000

Sec. 51. Section 73, chapter 340, Laws of 1981 as last amended by section 60, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation	\$	(66,000) 64,000
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Sec. 52. Section 74, chapter 340, Laws of 1981 as amended by section 61, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	(17,515,000) 17,077,000
General Fund Appropriation—Federal	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation	\$	35,000
General Fund—Reclamation Revolving Account Appropriation	\$	580,000
General Fund—Litter Control Account Appropriation	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26)	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27)	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27)	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	84,780,000
Total Reappropriation	\$	72,997,000
Total New Appropriation	\$	(208,702,000) 208,264,000
Total Appropriation	\$	(281,699,000) 281,261,000

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or

loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 53. Section 75, chapter 340, Laws of 1981 as last amended by section 62, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	(573,000)
		<u>559,000</u>

Sec. 54. Section 77, chapter 340, Laws of 1981 as last amended by section 63, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	(24,349,000)
		<u>23,740,000</u>

General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	5,573,000
General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Appropriation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	(31,874,000)
		<u>31,265,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Sequest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 55. Section 78, chapter 340, Laws of 1981 as last amended by section 64, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((288,000))
		281,000
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	((493,000))
		486,000

Sec. 56. Section 80, chapter 340, Laws of 1981 as last amended by section 65, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,095,000))
		7,893,000
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,881,000))
		8,679,000

Sec. 57. Section 81, chapter 340, Laws of 1981 as last amended by section 66, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((33,632,000))
		32,791,000
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account Appropriation	\$	27,000
Total Appropriation	\$	((41,309,000))
		40,468,000

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 58. Section 83, chapter 340, Laws of 1981 as last amended by section 67, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((20,775,000))
		20,256,000
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	1,711,000
General Fund—Forest Development Account Appropriation	\$	16,669,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account Appropriation	\$	49,977,000
Total Appropriation	\$	((92,778,000))
		92,259,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

(5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 59. Section 84, chapter 340, Laws of 1981 as last amended by section 68, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((8,221,000))
		8,015,000
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Appropriation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000

Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation.....	\$	270,000
Grain and Hay Inspection Fund Appropriation.....	\$	17,278,000
Total Appropriation	\$	((28,179,000)) <u>27,973,000</u>

The appropriations in this section are subject to the following condition or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 60. Section 85, chapter 340, Laws of 1981 as last amended by section 69, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,130,000)) <u>8,902,000</u>
General Fund—Architects' License Account Appropriation.....	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,214,000)) <u>73,986,000</u>

Sec. 61. Section 5, chapter 289, Laws of 1981 as amended by section 70, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of ~~((forty-two))~~ forty-one thousand dollars, to carry out the purposes of this act.

Sec. 62. Section 86, chapter 340, Laws of 1981 as last amended by section 71, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State.....	\$	((11,945,000)) <u>11,794,000</u>
General Fund Appropriation—Federal.....	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,386,000)) <u>18,235,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 63. Section 99, chapter 340, Laws of 1981 as last amended by section 79, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State.....	\$	((3,946,000)) <u>3,895,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,319,000)) <u>7,268,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$((501,000)) <u>495,000</u>	\$562,000
E.S.D. No. 105	\$((479,000)) <u>473,000</u>	\$269,000
E.S.D. No. 112.....	\$((403,000)) <u>398,000</u>	\$453,000
E.S.D. No. 113	\$((430,000)) <u>424,000</u>	\$483,000

E.S.D. No. 114	\$(370,000)	\$208,000
	365,000	
E.S.D. No. 121	\$(352,000)	\$396,000
	347,000	
E.S.D. No. 123	\$(467,000)	\$262,000
	461,000	
E.S.D. No. 171	\$(571,000)	\$321,000
	564,000	
E.S.D. No. 189	\$(373,000)	\$419,000
	368,000	
Total	\$(3,946,000)	\$3,373,000
	3,895,000	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 64. Section 101, chapter 340, Laws of 1981 as amended by section 81, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of (~~this 1982 act~~) chapter 50, Laws of 1982 1st ex. sess.: PROVIDED, That percentage reductions in this program by any school district shall not exceed (~~0.5%~~) 1.75% on a biennial basis.

Sec. 65. Section 105, chapter 340, Laws of 1981 as amended by section 82, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	(990,000)
		978,000

Sec. 66. Section 83, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

The superintendent of public instruction shall achieve a reduction of \$(~~15,674,000~~) 55,060,000 in the total disbursements of state general fund moneys to local school districts for the 1982–1983 (~~school~~) state fiscal year for those programs under sections 72 (basic education), 74 (salary and compensation increase), 75 (pupil transportation), 76 (vocational–technical institutes), 77 (food service), 78 (handicapped costs), 80 (block grants), and 81 (institutional education) of (~~this 1982 act~~) chapter 50, Laws of 1982 1st ex. sess. This reduction approximates a (~~0.5%~~) 1.75% biennial reduction in the state general fund appropriation for disbursement to each local school district. It is the intent that such reductions shall be allocated on the basis of the apportionment schedule as provided in RCW 28A.48.010. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 67. Section 4, chapter 33, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of (~~twenty-five~~) twenty-four thousand dollars, or so much thereof as may be necessary, from the state general fund: PROVIDED, That up to an additional (~~one hundred~~) ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources, to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

Sec. 68. Section 107, chapter 340, Laws of 1981 as last amended by section 84, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	(370,840,000)
		363,351,000
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	(371,111,000)
		363,622,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) "Waived operating fees" means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) "Total operating fees" means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 69. Section 108, chapter 340, Laws of 1981 as last amended by section 85, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((281,551,000))
		<u>275,867,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropriation	\$	48,304,000
Total Appropriation	\$	((331,909,000))
		<u>326,225,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 70. Section 109, chapter 340, Laws of 1981 as last amended by section 86, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((169,375,000))
		<u>165,955,000</u>
Washington State University Building Account Appropriation	\$	18,200,000
Total Appropriation	\$	((187,575,000))
		<u>184,155,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 71. Section 110, chapter 340, Laws of 1981 as last amended by section 87, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((53,329,000))
		<u>52,252,000</u>
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((55,395,000))
		<u>54,318,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 72. Section 111, chapter 340, Laws of 1981 as last amended by section 88, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((47,875,000))
		<u>46,908,000</u>
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((49,541,000))
		<u>48,574,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 73. Section 112, chapter 340, Laws of 1981 as last amended by section 89, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((24,742,000))
		<u>24,242,000</u>

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 74. Section 113, chapter 340, Laws of 1981 as last amended by section 90, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((57,195,000))
		<u>56,040,000</u>
Western Washington University Capital Projects Account Appropriation	\$	3,102,000
Total Appropriation	\$	((60,297,000))
		<u>59,142,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 75. Section 115, chapter 340, Laws of 1981 as last amended by section 92, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((19,878,000))
		<u>19,464,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((23,562,000))
		<u>23,148,000</u>

The appropriations in this section are subject to the following condition or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 76. Section 114, chapter 340, Laws of 1981 as amended by section 93, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((61,000))
		<u>60,000</u>

Sec. 77. Section 116, chapter 340, Laws of 1981 as last amended by section 94, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((124,000))
		<u>122,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((132,000))
		<u>130,000</u>

Sec. 78. Section 118, chapter 340, Laws of 1981 as last amended by section 95, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,682,000))
		<u>1,639,000</u>
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((28,839,000))
		<u>28,796,000</u>

The appropriations in this section are subject to the following condition or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 79. Section 121, chapter 340, Laws of 1981 as last amended by section 97, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State.....	\$	((1,191,000))
		<u>1,161,000</u>
General Fund Appropriation—Federal.....	\$	893,000
Total Appropriation.....	\$	((2,084,000))
		<u>2,054,000</u>

The appropriations in this section are subject to the following condition or limitation: \$((659,000))
643,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 80. Section 122, chapter 340, Laws of 1981 as last amended by section 98, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$	((525,000))
		<u>511,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 81. Section 123, chapter 340, Laws of 1981 as last amended by section 99, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation.....	\$	((440,000))
		<u>429,000</u>

Sec. 82. Section 124, chapter 340, Laws of 1981 as last amended by section 100, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation.....	\$	((387,000))
		<u>377,000</u>

General Fund—State Capitol Historical Association Museum Account

Appropriation.....	\$	53,000
Total Appropriation.....	\$	((440,000))
		<u>430,000</u>

Sec. 83. Section 37, chapter 67, Laws of 1981 as last amended by section 104, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred (~~five~~) three thousand dollars, or so much thereof as may be necessary.

Sec. 84. Section 123, chapter 136, Laws of 1981 as last amended by section 106, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund \$((365,000)) 356,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 85. Section 42, chapter 137, Laws of 1981 as last amended by section 107, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of five hundred (~~ninety-eight~~) eighty-six thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 86. Section 16, chapter 268, Laws of 1981 as last amended by section 109, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$((254,000)) 248,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 87. Section 6, chapter 317, Laws of 1981 as last amended by section 110, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State.....	\$	((1,700,878))
		<u>1,1408,000</u>

Motor Vehicle Fund—State Patrol Highway Account Appropriation—

State.....	\$	90,391,815
Highway Safety Fund Appropriation—State.....	\$	9,000

Total Appropriation	\$	((102,101,693))
		<u>101,808,815</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 88. Section 8, chapter 317, Laws of 1981 as last amended by section 111, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—		
PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S		
General Fund—Aeronautics Account Appropriation—State	\$	8,722
General Fund Appropriation—State	\$	((57,424))
		<u>56,000</u>
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropria- tion—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropria- tion—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,450,664))
		<u>16,449,240</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 89. Section 11, chapter 317, Laws of 1981 as amended by section 111, chapter 14, Laws of 1981 2nd ex. sess. and by section 112, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND		
PLANNING—PROGRAM T		
(1) For public transportation and rail programs:		
General Fund Appropriation—State	\$	((652,456))
		<u>616,000</u>
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000
(2) For planning and research:		
Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,189,365))
		<u>22,152,909</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

Sec. 90. Section 10, chapter 330, Laws of 1981 as last amended by section 113, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ((~~eighty-seven~~) seventy-seven) thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ((~~eight hundred twenty-five~~) six hundred twenty-nine) thousand dollars for the judicial information system.

NEW SECTION. Sec. 91. In order to ensure that the benefits to the state expected to be derived from the early retirement provisions of chapter 54, Laws of 1982 1st ex. sess. (SSHB No. 124) are in fact generated, no funds may be expended by any state agency for personal service contracts engaging any persons retired from state service under the provisions of that chapter. Exceptions to this section may be granted by written approval from the director of financial management.

This section shall expire on June 30, 1983.

NEW SECTION. Sec. 92. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 93. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Mr. Nisbet, the following amendments to the amendment were adopted:

On page 23, line 6 strike "\$34,613,000" and insert "\$39,262,000"
 On page 30, line 17 strike "\$41,511,000" and insert "\$39,170,000"
 On page 31, line 11 strike "\$13,840,000" and insert "\$13,714,000"
 on page 31, line 18 strike "\$1,148,000" and insert "\$1,098,000"

On page 31, line 20 strike "\$833,000" and insert "\$783,000"

The amendment by Representative Chandler as amended was adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Heck spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5021 as amended by the House, and the bill passed the House by the following vote: Yeas, 52; nays, 39; not voting, 7.

Voting yea: Representatives Addison, Amen, Barnes, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Ellis, Fancher, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Lyon, McCormick, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Patrick, Prince, Rosbach, Sanders, Schmidt, Smith, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Barr, Bender, Brekke, Brown, Burns, Clayton, Cole, Ehlers, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., O'Brien, Owen, Pruitt, Rinehart, Rust, Salatino, Sherman, Sommers, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Becker, Eng, Erak, North, Scott, Teutsch, Williams.

Senate Bill No. 5021 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

I wish to change my vote from "Aye" to "Nay" on Senate Bill No. 5021 as amended by the House.

MARGARET J. LEONARD, 3rd District.

MOTION

On motion of Mr. Nelson (G), the House adjourned until 11:00 a.m., Tuesday, June 29, 1982.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk

FOURTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, June 29, 1982.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Teutsch and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Steve Minnitti and Barrett Martin. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker declared the House to be at ease until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Teutsch and Williams, who were excused.

The Speaker declared the House to be at ease until 8:30 p.m.

EVENING SESSION

The Speaker called the House to order at 8:30 p.m.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 10:00 a.m., Wednesday, June 30, 1982.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk

FIFTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Wednesday, June 30, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Eberle, Fancher, Salatino, Teutsch and Williams. Representatives Eberle, Fancher, Teutsch and Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jill Eberle and Leif Wahlborg. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

Mr. Nelson (G) demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Eberle, Fancher, Salatino, Teutsch and Williams.

On motion of Mr. Nelson (G), the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Nelson (G), the House dispensed with further business under the Call of the House.

The Speaker declared the House recessed until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Teutsch and Williams, who were excused.

Mr. Nelson (G) demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Fancher, Teutsch and Williams.

On motion of Mr. Nelson (G), the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE GOVERNOR

June 30, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on June 30, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 1249: Relating to nursing home auditing.

Sincerely,
Marilyn Showalter, Counsel.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1254, by Representatives Flanagan, Lundquist, Dickie, Hastings, James, Smith, Clayton, Bickham, Fancher, Bond, Sanders, Barr, Amen and Padden:

AN ACT Relating to local motor vehicle excise taxes; amending section 8, chapter 255, Laws of 1969 ex. sess. as amended by section 2, chapter 175, Laws of 1979 ex. sess. and RCW 35.58.273; creating a new section; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1255, by Committee on Appropriations – Education and Representative Nelson (G):

AN ACT Relating to state government; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 43.88 RCW; adding a new section to chapter 340, Laws of 1981; providing an expiration date; and declaring an emergency.

HOUSE BILL NO. 1256, by Committee on Ways and Means and Representative Armstrong:

AN ACT Relating to excise taxation; amending section 1, chapter 7, Laws of 1981 as last amended by section 27, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.32.045; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.

HOUSE BILL NO. 1257, by Committee on Appropriations – Education and Representative Struthers:

AN ACT Relating to state government; amending section 107, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 108, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 109, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 110, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 111, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 112, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); amending section 113, chapter 340, Laws of 1981 as last amended by section ..., chapter ... (SB 5021), Laws of 1982 2nd ex. sess. (uncodified); creating a new section; and declaring an emergency.

HOUSE BILL NO. 1258, by Representatives Bond, Berleen, Johnson, Mitchell, Hastings, Bickham, Lundquist, Sanders, Greengo, James, Clayton and Isaacson:

AN ACT Relating to criminal procedure; amending section 1, chapter 117, Laws of 1973 1st ex. sess. as amended by section 1, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.010; amending section 6, chapter 117, Laws of 1973 1st ex. sess. as amended by section 6, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.060; amending section 12, chapter 117, Laws of 1973 1st ex. sess. as amended by section 11, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.120; amending section 20, chapter 117, Laws of 1973 1st ex. sess. as amended by section 16, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.200; adding new sections to chapter 9A.12 RCW; adding a new section to chapter 10.77 RCW; repealing section 9A.12.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.12.010; repealing section 3, chapter 117, Laws of 1973 1st ex. sess., section 3, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.030; repealing section 4, chapter 117, Laws of 1973 1st ex. sess., section 4, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.040; repealing section 8, chapter 117, Laws of 1973 1st ex. sess., section 7, chapter 198, Laws of 1974 ex. sess. and RCW 10.77.080; repealing section 11, chapter 117, Laws of 1973 1st ex. sess., section 10, chapter 198, Laws of 1974 ex. sess., section 4, chapter 215, Laws of 1979 ex. sess. and RCW 10.77.110; repealing section 22, chapter 117, Laws of 1973 1st ex. sess., section 17, chapter 198, Laws of 1974 ex. sess., section 3, chapter 112, Laws of 1982 and RCW 10.77.220; and providing an effective date.

HOUSE JOINT MEMORIAL NO. 28, by Representatives Lundquist, James, Nisbet, Fiske and Wilson:

Requesting congressional assistance in continued management and monitoring of salmon and steelhead trout harvest by treaty Indians.

MOTIONS

On motion of Mr. Nelson (G), the rules were suspended, and House Bill No. 1251, House Bill No. 1253, House Bill No. 1255 and House Bill No. 1257 were advanced to second reading and placed at the top of the second reading calendar.

On motion of Mr. Nelson (G), the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1253, by Committee on Ways and Means and Representative Chandler:

Modifying provisions relating to the capitol purchase and development account.

The bill was read the second time.

On motion of Mr. Chandler, the following amendments were adopted:

On page 5, beginning on line 30 strike all material down to and including "dollars." on line 33 and insert "On June 30, 1983, the state treasurer shall transfer from the capitol purchase and development account to the general fund all moneys in excess of seven hundred thousand dollars."

On page 6, beginning on line 13 strike all of section 6.

On page 1, line 8 of the title, after "79.24.580;" insert "and" and on line 10 of the title after "79.24.638" strike all material down to and including "emergency" on line 11.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1253, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., King R., Kreidler, Leonard, Lewis, Lundquist, Lux, Lyon, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representative Thompson.

Not voting: Representatives Fancher, Teutsch, Williams.

Engrossed House Bill No. 1253, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Mr. Nelson (G) moved that all bills passed by the House on this day be immediately transmitted to the Senate.

The motion was carried.

HOUSE BILL NO. 1255, by Committee on Appropriations - Education and Representative Nelson (G):

Modifying provisions relating to public employees.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kreidler spoke against passage of the bill, and Mr. Nelson (G) spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1255, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, James, Leonard, Lewis, Lundquist, Lyon, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Padden, Prince, Salatino, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Wilson, and Mr. Speaker.

Voting nay: Representatives Armstrong, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Hine, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Vander Stoep, Walk, Wang, Warnke, Winsley.

Not voting: Representatives Fancher, Teutsch, Williams.

House Bill No. 1255, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1257, by Committee on Appropriations - Education and Representative Struthers:

Modifying provisions relating to institutions of higher education.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1257, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Addison, Amen, Barnes, Barr, Barrett, Berleen, Bickham, Bond, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Lyon, McCormick, McDonald, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Rosbach, Salatino, Sanders, Schmidt, Smith, Sprague, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Armstrong, Becker, Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Greengo, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Prince, Pruitt, Rinehart, Rust, Scott, Sherman, Sommers, Stratton, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Fancher, Teutsch, Williams.

House Bill No. 1257, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

June 30, 1982

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1246,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

HOUSE BILL NO. 1251, by Committee on Human Services and Representatives Struthers, Monohon, Erak, Owen, Ehlers, Heck, King (J), Martinis, Brown, Warnke, Sherman, Gallagher, McCormick and Stratton:

Establishing a state lottery.

The bill was read the second time.

The Clerk read the following amendment by Representative Tilly:

On page 17, following line 23 insert a new section as follows:

"NEW SECTION. Sec. 39. There is hereby appropriated from the general fund to the department of social and health services for the biennium ending June 30, 1983, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to allow the department to establish and operate a pilot program for the treatment of compulsive gamblers. The department shall promulgate such rules and regulations as are necessary to establish and operate such a pilot program."

Renumber the remaining sections consecutively.

With the consent of the House, Mr. Tilly withdrew the amendment.

Mr. Owen moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. For the purposes of this chapter:

- (1) 'Commission' shall mean the state gambling commission established by RCW 9.46.040;
- (2) 'Lottery' or 'state lottery' shall mean the lottery established and operated pursuant to this chapter;
- (3) 'Director' shall mean the director of the state gambling commission established by RCW 9.46.080.

NEW SECTION. Sec. 2. The state gambling commission shall provide such services as are required to carry out the provisions of this chapter. However, the costs of such services shall be paid for from moneys placed within the revolving fund created by section 25 of this act.

NEW SECTION. Sec. 3. In addition to the powers and duties enumerated in RCW 9.46.070 the commission shall have the power, and it shall be its duty:

- (1) To promulgate such rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the

dignity of the state and the general welfare of the people. Such rules may include, but shall not be limited to, the following:

- (a) The type of lottery to be conducted which may include the selling of tickets or shares, or the use of electronic or mechanical devices or video terminals which do not require a printed ticket;
- (b) The price, or prices, of tickets or shares in the lottery;
- (c) The numbers and sizes of the prizes on the winning tickets or shares;
- (d) The manner of selecting the winning tickets or shares;
- (e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the commission's option, may be paid in lump sum amounts or installments over a period of years;
- (f) The frequency of the drawings or selections of winning tickets or shares, without limitation;
- (g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;
- (h) The method to be used in selling tickets or shares, which may include the use of electronic or mechanical devices and video terminals;

(i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among: (i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross income from such lottery, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross income from such lottery, (iii) for the repayment of any moneys appropriated to the state lottery fund pursuant to section 31 of this act, and (iv) for transfer to the state's general fund: **PROVIDED**, That no less than forty percent of the total revenues accruing from the sale of lottery tickets or shares shall be transferred to the state general fund;

(l) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(3) To advise and make recommendations to the director for the operation and administration of the lottery.

(4) To publish quarterly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding quarter, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as it deems necessary or desirable.

(5) To report immediately to the governor and the legislature any matters which shall require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(6) To carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that said law and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(7) To make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(8) To perform all other matters and things necessary to carry out the purposes and provisions of this chapter as now adopted or hereafter amended.

NEW SECTION, Sec. 4. In addition to the powers and duties enumerated in RCW 9.46.080, the director shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission;

(2) Subject to the approval of the commission, appoint such assistant directors as may be required to carry out the functions and duties of his office: **PROVIDED**, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such assistant directors;

(3) Subject to the approval of the commission, appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: **PROVIDED**, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are

engaged in undercover investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section;

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the revolving fund created by section 25 of this act;

(5) Confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery;

(6) Subject to the approval of the commission and the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter shall authorize the commission to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation; and

(7) Certify quarterly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

NEW SECTION. Sec. 5. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.

NEW SECTION. Sec. 6. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing such license the director shall consider such factors as: (1) The financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For purposes of this section, the term 'person' means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. 'Person' shall not be construed to mean or include any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof.

NEW SECTION. Sec. 7. Any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

NEW SECTION. Sec. 8. The commission may deny an application for, or suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such license may, however, be temporarily suspended by the director without prior notice, pending any prosecution, investigation, or hearing. A license may be suspended or revoked or an application may be denied by the commission for one or more of the following reasons:

(1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(2) For any of the reasons or grounds stated in RCW 9.46.075 or violation of the rules of the commission;

(3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;

(4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;

(5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs, or that public convenience is adequately served by other licensees;

(6) A material change, since issuance of the license with respect to any matters required to be considered by the director under section 6 of this act.

For the purpose of reviewing any application for a license and for considering the denial, suspension, or revocation of any license the gambling commission may consider any prior criminal conduct of the applicant or licensee and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases.

NEW SECTION. Sec. 9. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The commission and the director shall be discharged of all further liability upon payment of a prize pursuant to this section.

NEW SECTION. Sec. 10. A person shall not sell a ticket or share at a price greater than that fixed by rule of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to prevent any person from giving lottery tickets or shares to another as a gift.

Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 11. A ticket or share shall not be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by

a person eighteen years of age or older to a person less than that age. Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen, and is convicted of such, shall be guilty of misdemeanor. In the event that a person under the age of eighteen years directly purchases a ticket in violation of this section, no prize will be paid and the prize money will be treated as unclaimed pursuant to section 18 of this act.

NEW SECTION. Sec. 12. A person shall not alter or forge a lottery ticket. A person shall not claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. A person shall not conspire, aid, abet, or agree to aid another person or persons to claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. Any person convicted of violating this section shall be guilty of a felony.

NEW SECTION. Sec. 13. Any person who conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license issued by the commission, and is convicted of such, shall be guilty of a felony. If any corporation conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license issued by the commission, it may be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section.

NEW SECTION. Sec. 14. Whoever, in any application for a license or in any book or record required to be maintained by the commission or in any report required to be submitted to the commission, shall make any false or misleading statement, or make any false or misleading entry or wilfully fail to maintain or make any entry required to be maintained or made, or who wilfully refuses to produce for inspection by the commission, or its designee, any book, record, or document required to be maintained or made by federal or state law, and is convicted of such, shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 15. Any person who violates any provision of this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter, and is convicted of such, shall be guilty of a class C felony, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 16. Any person who violates any rule adopted pursuant to this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any rule adopted pursuant to this chapter, and is convicted of such, shall be guilty of a gross misdemeanor, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 17. A ticket or share shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission. Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 18. Unclaimed prize money for the prize on a winning ticket or share shall be retained in the state lottery fund for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall be retained in the state lottery fund for distribution pursuant to section 3 of this act and all rights to the prize shall be extinguished.

NEW SECTION. Sec. 19. The director, in his discretion, may require any or all lottery sales agents to deposit to the credit of the state lottery fund in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director or his designated agents, reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he or she may deem advisable pursuant to this chapter and the rules of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

NEW SECTION. Sec. 20. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or shares performed pursuant to this chapter.

NEW SECTION. Sec. 21. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is less than five thousand dollars, the director may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is five thousand dollars or more, the director may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington uniform gifts to minors act, chapter 21.24 RCW, and for the purposes of this section the terms 'adult member of a minor's family,' 'guardian of a minor,' and 'bank' shall have the same meaning as in chapter 21.24 RCW. The commission and the director shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

NEW SECTION. Sec. 22. There is hereby created and established a separate fund, to be known as the state lottery fund. Such fund shall be managed, maintained, and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. The fund shall be a separate fund outside

the state treasury. No appropriation is required to permit expenditures and payment of obligations from the fund.

NEW SECTION. Sec. 23. The moneys in the state lottery fund shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into the reserve account created by section 24 of this act and into the revolving fund created by section 25 of this act; (3) for purposes of making deposits into the state's general fund; and (4) for the repayment to the state's general fund of the amount appropriated to the fund pursuant to section 31 of this act.

NEW SECTION. Sec. 24. In the event the commission decides to pay any portion of or all of the prizes in the form of installments over a period of years, it shall provide for the payment of all such installments by one, but not both, of the following methods:

(1) It may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) It may establish and maintain a reserve account into which shall be placed sufficient moneys for the director to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 25. There is hereby created a revolving fund into which the commission shall deposit sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery: PROVIDED, That the amount deposited in such revolving fund shall never exceed fifteen percent of the total revenues accruing from the sale of lottery tickets or shares. Such revolving fund shall be managed, controlled, and maintained by the commission and shall be a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 26. Each member of the commission shall receive compensation of fifty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the director.

NEW SECTION. Sec. 27. The provisions of the administrative procedure act, chapter 34.04 RCW, shall apply to administrative actions taken by the commission or the director pursuant to this chapter.

NEW SECTION. Sec. 28. The state auditor shall conduct an annual post-audit of all accounts and transactions of the lottery and such other special post-audits as he may be directed to conduct pursuant to chapter 43.09 RCW.

NEW SECTION. Sec. 29. This chapter shall expire five years after the effective date of this act, unless extended by law. The legislative budget committee shall evaluate the effectiveness of this chapter. The final report of the evaluation shall be available to the legislature at least six months prior to the scheduled termination date. The report shall include, but is not limited to, objective findings of fact, conclusions, and recommendations as to continuation, modification, or termination of this chapter.

NEW SECTION. Sec. 30. This act shall be liberally construed to carry out the purposes and policies of the act.

NEW SECTION. Sec. 31. There is hereby appropriated to the state lottery fund from the state general fund the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, for carrying out the purposes of creating the lottery provided for in sections 1 through 28 of this act and in carrying out such functions and duties pursuant to said sections 1 through 28 of this act. Such appropriation shall be repaid to the general fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery.

NEW SECTION. Sec. 32. Sections 1 through 29 of this act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 33. There is added to chapter 9.46 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the conducting, operating, participating, or selling or purchasing of tickets or shares in the 'lottery' or 'state lottery' as defined in section 1 of this act when such conducting, operating, participating, or selling or purchasing is in conformity to the provisions of sections 1 through 29 of this act and to the rules adopted thereunder.

NEW SECTION. Sec. 34. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 35. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives Owen and Greengo spoke in favor of the amendment, and Representatives Monohon and Struthers spoke against it.

The amendment was not adopted.

Mr. Struthers moved adoption of the following amendment by Representatives Struthers and Monohon:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION.** Section 1. For the purposes of this chapter:

- (1) 'Commission' means the state lottery commission established by this chapter;
- (2) 'Lottery' or 'state lottery' means the lottery established and operated pursuant to this chapter;

(3) 'Director' means the director of the state lottery commission established by this chapter.

NEW SECTION. Sec. 2. The state gambling commission shall provide such services as are required by the state lottery commission to implement the provisions of this chapter. However, the costs of such services shall be paid for from moneys placed within the revolving fund created by section 26 of this act.

NEW SECTION. Sec. 3. There is created the state lottery commission to consist of five members appointed by the governor with the consent of the senate. Of the initial members, one shall serve a term of two years, one shall serve a term of three years, one shall serve a term of four years, one shall serve a term of five years, and one shall serve a term of six years. Their successors, all of whom shall be citizen members appointed by the governor with the consent of the senate, upon being appointed and qualified, shall serve six-year terms. No member of the commission who has served a full six-year term is eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which the vacancy occurs.

The governor shall designate one member of the commission to serve as chairman at the governor's pleasure.

A majority of the members shall constitute a quorum for the transaction of business.

NEW SECTION. Sec. 4. The commission shall have the power, and it shall be its duty:

(1) To promulgate such rules governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules shall include, but shall not be limited to, the following:

- (a) The type of lottery to be conducted which may include the selling of tickets or shares, or the use of electronic or mechanical devices or video terminals which do not require a printed ticket;
- (b) The price, or prices, of tickets or shares in the lottery;
- (c) The numbers and sizes of the prizes on the winning tickets or shares;
- (d) The manner of selecting the winning tickets or shares;
- (e) The manner and time of payment of prizes to the holder of winning tickets or shares which, at the director's option, may be paid in lump sum amounts or installments over a period of years;
- (f) The frequency of the drawings or selections of winning tickets or shares, without limitation;
- (g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;
- (h) The method to be used in selling tickets or shares, which may include the use of electronic or mechanical devices and video terminals;
- (i) The licensing of agents to sell or distribute tickets or shares, except that a person under the age of eighteen shall not be licensed as an agent;
- (j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among: (i) The payment of prizes to the holders of winning tickets or shares, which shall not be less than forty-five percent of the gross annual revenue from such lottery, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross annual revenue from such lottery, (iii) for the repayment of any moneys appropriated to the state lottery fund pursuant to sections 36 and 37 of this act, and (iv) for transfer to the state's general fund: PROVIDED, That no less than forty percent of the gross annual revenue from the sale of lottery tickets or shares shall be transferred to the state general fund;

(l) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To ensure that in each place authorized to sell lottery tickets or shares, on the back of the ticket or share, and in any advertising or promotion there shall be conspicuously displayed an estimate of the probability of purchasing a winning ticket.

(3) To amend, repeal, or supplement any such rules from time to time as it deems necessary or desirable.

(4) To advise and make recommendations to the director for the operation and administration of the lottery.

NEW SECTION. Sec. 5. There is created the office of director of the state lottery. The director shall be appointed by the governor with the consent of the senate. The director shall serve at the pleasure of the governor and shall receive such salary as is determined by the governor, but in no case may the director's salary be more than ninety percent of the salary of the governor. The director shall:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules of the commission.

(2) Appoint such deputy and assistant directors as may be required to carry out the functions and duties of his office: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy and assistant directors.

(3) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter: PROVIDED, That the provisions of the state civil service law,

chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules of the commission, license as agents to sell or distribute lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules of the commission. License fees may be established by the commission, and, if established, shall be deposited in the revolving fund created by section 26 of this act.

(5) Confer regularly as necessary or desirable with the commission on the operation and administration of the lottery; make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; and advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery.

(6) Subject to the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter authorizes the director to enter into public contracts for the regular and permanent administration of the lottery after the initial development and implementation.

(7) Certify quarterly to the state treasurer, the legislative budget committee, and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding quarter.

(8) Publish quarterly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding quarter, and make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as the director deems necessary or desirable.

(9) Report immediately to the governor and the legislature any matters which require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(10) Carry on a continuous study and investigation of the lottery throughout the state: (a) For the purpose of ascertaining any defects in this chapter or in the rules issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that this chapter and rules shall be in such form and be so administered as to serve the true purposes of this chapter.

(11) Make a continuous study and investigation of: (a) The operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

(12) Have all enforcement powers granted in chapter 9.46 RCW.

(13) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

NEW SECTION. Sec. 6. (1) The director or the director's authorized representative may:

(a) Make necessary public or private investigations within or outside of this state to determine whether any person has violated or is about to violate this chapter or any rule or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder; and

(b) Inspect the books, documents, and records of any person lending money to or in any manner financing any license holder or applicant for a license or receiving any income or profits from the use of such license for the purpose of determining compliance or noncompliance with the provisions of this chapter or the rules and regulations adopted pursuant thereto.

(2) For the purpose of any investigation or proceeding under this chapter, the director or an administrative law judge appointed under chapter 34.12 RCW may conduct hearings, administer oaths or affirmations, or upon the director's or administrative law judge's motion or upon request of any party may subpoena witnesses, compel attendance, take depositions, take evidence, or require the production of any matter which is relevant to the investigation or proceeding, including but not limited to the existence, description, nature, custody, condition, or location of any books, documents, or other tangible things, or the identity or location of persons having knowledge or relevant facts, or any other matter reasonably calculated to lead to the discovery of material evidence.

(3) Upon failure to obey a subpoena or to answer questions propounded by the administrative law judge and upon reasonable notice to all persons affected thereby, the director may apply to the superior court for an order compelling compliance.

(4) The administrative law judges appointed under chapter 34.12 RCW may conduct hearings respecting the suspension, revocation, or denial of licenses, may administer oaths, admit or deny admission of evidence, compel the attendance of witnesses, issue subpoenas, issue orders, and exercise all other powers and perform all other functions set out in RCW 34.04.090 (6) and (8), 34.04.100, and 34.04.105.

(5) Except as otherwise provided in this chapter, all proceedings under this chapter shall be in accordance with the administrative procedure act, chapter 34.04 RCW.

NEW SECTION. Sec. 7. No license as an agent to sell lottery tickets or shares may be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing a license the director shall consider such factors as: (1) The financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For purposes of this section, the term 'person' means an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. 'Person' does not mean any department, commission, agency, or instrumentality of the state, or any county or municipality or any agency or instrumentality thereof, except for retail outlets of the state liquor control board.

NEW SECTION. Sec. 8. Any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

NEW SECTION. Sec. 9. The director may deny an application for, or suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such license may, however, be temporarily suspended by the director without prior notice, pending any prosecution, investigation, or hearing. A license may be suspended or revoked or an application may be denied by the director for one or more of the following reasons:

(1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director or to comply with the instructions of the director concerning the licensed activity;

(2) For any of the reasons or grounds stated in RCW 9.46.075 or violation of this chapter or the rules of the commission;

(3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;

(4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;

(5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs, or that public convenience is adequately served by other licensees;

(6) A material change, since issuance of the license with respect to any matters required to be considered by the director under section 7 of this act.

For the purpose of reviewing any application for a license and for considering the denial, suspension, or revocation of any license the director may consider any prior criminal conduct of the applicant or licensee and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases.

NEW SECTION. Sec. 10. No right of any person to a prize drawn is assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The commission and the director shall be discharged of all further liability upon payment of a prize pursuant to this section.

NEW SECTION. Sec. 11. A person shall not sell a ticket or share at a price greater than that fixed by rule of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section prevents any person from giving lottery tickets or shares to another as a gift.

NEW SECTION. Sec. 12. A ticket or share shall not be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by a person eighteen years of age or older to a person less than that age. Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen is guilty of a misdemeanor. In the event that a person under the age of eighteen years directly purchases a ticket in violation of this section, no prize will be paid to such person and the prize money otherwise payable on the ticket will be treated as unclaimed pursuant to section 19 of this act.

NEW SECTION. Sec. 13. A person shall not alter or forge a lottery ticket. A person shall not claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation. A person shall not conspire, aid, abet, or agree to aid another person or persons to claim a lottery prize or share of a lottery prize by means of fraud, deceit, or misrepresentation.

A violation of this section is a felony.

NEW SECTION. Sec. 14. Any person who conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license, is guilty of a felony. If any corporation conducts any activity for which a license is required by this chapter, or by rule of the commission, without the required license, it may be punished by forfeiture of its corporate charter, in addition to the other penalties set forth in this section.

NEW SECTION. Sec. 15. Whoever, in any application for a license or in any book or record required to be maintained or in any report required to be submitted, makes any false or misleading statement, or makes any false or misleading entry or wilfully fails to maintain or make any entry required to be maintained or made, or who wilfully refuses to produce for inspection any book, record, or document required to be maintained or made by federal or state law is guilty of a gross misdemeanor.

NEW SECTION. Sec. 16. Any person who violates any provision of this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any provision of this chapter is guilty of a class C felony, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 17. Any person who violates any rule adopted pursuant to this chapter for which no penalty is otherwise provided, or knowingly causes, aids, abets, or conspires with another to cause any person to violate any rule adopted pursuant to this chapter is guilty of a gross misdemeanor, except where other penalties are specifically provided for in this chapter.

NEW SECTION. Sec. 18. A ticket or share shall not be purchased by, and a prize shall not be paid to any member or employee of the commission or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

A violation of this section is a misdemeanor.

NEW SECTION. Sec. 19. Unclaimed prizes shall be retained in the state lottery fund for the person entitled thereto for one hundred eighty days after the drawing in which the prize is won. If no claim is made for the prize within this time, the prize shall be retained in the state lottery fund for further use as prizes and all rights to the prize shall be extinguished.

NEW SECTION. Sec. 20. The director, in his discretion, may require any or all lottery sales agents to deposit to the credit of the state lottery fund in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director or his designated agents, reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he or she may deem advisable pursuant to this chapter and the rules of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

NEW SECTION. Sec. 21. No other law, including chapter 9.46 RCW, providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery applies to the sale of tickets or shares performed pursuant to this chapter.

NEW SECTION. Sec. 22. If the person entitled to a prize is under the age of eighteen years, and such prize is less than five thousand dollars, the director may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize is under the age of eighteen years, and such prize is five thousand dollars or more, the director may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington uniform gifts to minors act, chapter 21.24 RCW, and for the purposes of this section the terms 'adult member of a minor's family,' 'guardian of a minor,' and 'bank' shall have the same meaning as in chapter 21.24 RCW. The commission and the director shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

NEW SECTION. Sec. 23. There is hereby created and established a separate fund, to be known as the state lottery fund. Such fund shall be managed, maintained, and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. The fund shall be a separate fund outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the fund.

NEW SECTION. Sec. 24. The moneys in the state lottery fund shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into the reserve account created by section 25 of this act and into the revolving fund created by section 26 of this act; (3) for purposes of making deposits into the state's general fund; and (4) for the repayment of the amounts appropriated to the fund pursuant to sections 36 and 37 of this act.

NEW SECTION. Sec. 25. If the director decides to pay any portion of or all of the prizes in the form of installments over a period of years, the director shall provide for the payment of all such installments by one, but not both, of the following methods:

(1) The director may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) The director may establish and maintain a reserve account into which shall be placed sufficient moneys for the director to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 26. There is hereby created a revolving fund into which shall be deposited sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery. The amount expended annually from the revolving fund shall never exceed fifteen percent of the gross annual revenue accruing from the sale of lottery tickets or shares. Such revolving fund shall be managed, controlled, and maintained by the director and shall be a separate and independent fund outside the state treasury. No appropriation is required to permit expenditures and payment of obligations from the fund.

NEW SECTION. Sec. 27. Each member of the commission shall receive compensation of one hundred dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the director.

NEW SECTION. Sec. 28. The provisions of the administrative procedure act, chapter 34.04 RCW, shall apply to administrative actions taken by the commission or the director pursuant to this chapter.

NEW SECTION. Sec. 29. The state auditor shall conduct an annual post-audit of all accounts and transactions of the lottery and such other special post-audits as he may be directed to conduct pursuant to chapter 43.09 RCW.

NEW SECTION. Sec. 30. The attorney general may investigate violations of this chapter, and of the criminal laws within this state, by the commission or its employees, licensees, or agents, in the manner prescribed for criminal investigations in RCW 43.10.090.

NEW SECTION. Sec. 31. The director of financial management may conduct a management review of the commission's lottery operations to assure that:

(1) The manner and time of payment of prizes to the holder of winning tickets or shares is consistent with this chapter and the rules adopted under this chapter;

(2) The apportionment of total revenues accruing from the sale of lottery tickets or shares and from all other sources is consistent with this chapter;

(3) The manner and type of lottery being conducted, and the expenses incidental thereto, are the most efficient and cost-effective; and

(4) The commission is not unnecessarily incurring operating and administrative costs.

In conducting a management review, the director of financial management may inspect the books, documents, and records of the commission. Upon completion of a management review, all irregularities shall be reported to the attorney general, the legislative budget committee, and the state auditor. The director of financial management shall make such recommendations as may be necessary for the most efficient and cost-effective operation of the lottery.

NEW SECTION. Sec. 32. The director of financial management shall select a certified public accountant to verify that:

(1) The manner of selecting the winning tickets or shares is consistent with this chapter; and

(2) The manner and time of payment of prizes to the holder of winning tickets or shares is consistent with this chapter. The cost of these services shall be paid from moneys placed within the revolving fund created in section 26 of this act.

NEW SECTION. Sec. 33. The director shall have the power to enforce this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. The director, the deputy director, assistant directors, and each of the commission's investigators, enforcement officers, and inspectors shall have the power to enforce this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power and authority to apply for and execute all warrants and serve process of law issued by the courts in enforcing the penal provisions of this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. They shall have the power to arrest without a warrant, any person or persons found in the act of violating any of the penal provisions of this chapter and the penal laws of this state relating to the conduct of or participation in lottery activities and the manufacturing, importation, transportation, distribution, possession, and sale of equipment or paraphernalia used or for use in connection therewith. To the extent set forth in this section, the commission shall be a law enforcement agency of this state with the power to investigate for violations of and to enforce the provisions of this chapter and to obtain information from and provide information to all other law enforcement agencies.

NEW SECTION. Sec. 34. This chapter shall expire July 1, 1987, unless extended by law. The legislative budget committee shall evaluate the effectiveness of this chapter. The final report of the evaluation shall be available to the legislature at least six months prior to the scheduled termination date. The report shall include, but is not limited to, objective findings of fact, conclusions, and recommendations as to continuation, modification, or termination of this chapter.

NEW SECTION. Sec. 35. This act shall be liberally construed to carry out the purposes and policies of the act.

NEW SECTION. Sec. 36. There is hereby appropriated to the state lottery fund from the gambling commission revolving fund the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, for carrying out the purposes of sections 1 through 34 of this act. Such appropriation shall be repaid to the gambling commission revolving fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery. The appropriation in this section is not subject to the fifteen percent limitation on costs incurred in the operation and administration of the lottery under sections 4 and 26 of this act.

NEW SECTION. Sec. 37. If the appropriation in section 36 of this act is insufficient or inadequate, there is appropriated from the general fund to the state lottery fund for the biennium ending June 30, 1983, the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 1 through 34 of this act. Such appropriation shall be repaid to the general fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery. The appropriation in this section is not subject to the fifteen percent limitation on costs incurred in the operation and administration of the lottery under sections 4 and 26 of this act.

NEW SECTION. Sec. 38. Sections 1 through 34 of this act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 39. There is added to chapter 9.46 RCW a new section to read as follows:

The provisions of this chapter shall not apply to the conducting, operating, participating, or selling or purchasing of tickets or shares in the 'lottery' or 'state lottery' as defined in section 1 of this act when such conducting, operating, participating, or selling or purchasing is in conformity to the provisions of sections 1 through 34 of this act and to the rules adopted thereunder.

NEW SECTION. Sec. 40. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 41. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Mr. Struthers, the following amendments by Representatives Struthers and Monohon to the amendment were adopted:

On page 26, line 11 after "to the" strike all material down to and including "lottery" on line 14 and insert "percent limitations imposed"

On page 26, line 34 after "to the" strike all material down to and including "lottery" on line 37 and insert "percent limitations imposed"

Representatives Struthers and Monohon spoke in favor of the amendment as amended, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF PARLIAMENTARY INQUIRY

Mr. Heck: "Mr. Speaker, how many votes are required to pass this bill?"

The Speaker: "Sixty percent; 59 votes."

Representatives Greengo, Bond, Barnes and Ellis spoke against passage of the bill, and Representatives Struthers, Lux and Leonard spoke in favor of it.

Mr. Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1251, and the bill passed the House by the following vote: Yeas, 60; nays, 35; not voting, 3.

Voting yea: Representatives Addison, Armstrong, Barr, Barrett, Bender, Berleen, Bickham, Brekke, Brown, Chamberlain, Dawson, Dickie, Eberle, Ehlers, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Grimm, Heck, Hine, James, Kaiser, King J., King R., Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Rosbach, Salatino, Schmidt, Sherman, Sommers, Stratton, Struthers, Taylor, Thompson, Valle, Walk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Becker, Bond, Burns, Cantu, Chandler, Clayton, Cole, Ellis, Eng, Fiske, Granlund, Greengo, Hankins, Hastings, Houchen, Isaacson, Johnson, Kreidler, Lundquist, Lyon, McDonald, Prince, Pruitt, Rinehart, Rust, Sanders, Scott, Smith, Sprague, Tilly, Van Dyken, Vander Stoep, Wang.

Not voting: Representatives Fancher, Teutsch, Williams.

Engrossed House Bill No. 1251, having received the constitutional sixty percent majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1246.

MESSAGE FROM THE SENATE

June 30, 1982

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5021, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. Nelson (G), the House receded from its amendment to Senate Bill No. 5021.

On motion of Mr. Nelson (G), the rules were suspended, and Senate Bill No. 5021 was returned to second reading for the purpose of amendment.

Mr. Chandler moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*Section 1. Section 4, chapter 340, Laws of 1981 as last amended by section 2, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation \$ ~~((1,303,000))~~
1,149,000

The appropriation in this section is subject to the following condition~~((s and))~~ or limitation~~((s))~~: ~~((+))~~ \$50,000 is provided solely for the study of duplication of courses and programs in higher education. The study shall include, but not be limited to: (a) Undergraduate, graduate, professional, vocational, research, and extension programs; and (b) programs offered by universities, colleges, community colleges, and vocational-technical institutes. The committee may contract with the council for postsecondary education to perform this study.

~~((2))~~ \$125,000 is provided solely for a grant to study the structure and management of education systems, kindergarten through higher education, in the manner outlined in Recrossed Senate Bill No. 3609: ~~Of this amount, \$25,000 is provided directly for the study and up to \$100,000 may be used as matching funds for private moneys received for the same purpose.)~~

Sec. 2. Section 5, chapter 340, Laws of 1981 as last amended by section 3, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund Appropriation \$ ~~((1,145,000))~~
1,116,000

Sec. 3. Section 6, chapter 340, Laws of 1981 as last amended by section 4, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund Appropriation \$ ~~((287,000))~~
280,000

Sec. 4. Section 7, chapter 340, Laws of 1981 as last amended by section 5, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund Appropriation \$ ~~((4,147,000))~~
4,043,000

Sec. 5. Section 8, chapter 340, Laws of 1981 as last amended by section 6, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((5,630,000))~~
5,522,000

The appropriation in this section is subject to the following condition or limitation: \$1,325,000 is provided solely for indigent appeal cases.

Sec. 6. Section 9, chapter 340, Laws of 1981 as last amended by section 7, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund Appropriation \$ ~~((1,608,000))~~
1,568,000

The appropriation in this section is subject to the following condition or limitation: All nonstate agency users of the Westlaw system shall be charged a service fee sufficient to cover the costs of their usage.

Sec. 7. Section 10, chapter 340, Laws of 1981 as last amended by section 8, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((7,720,000))~~
7,527,000

The appropriation in this section is subject to the following condition or limitation: \$1,273,000 is provided solely for lease and associated costs for Division I relocation, and no other moneys may be expended for these purposes.

Sec. 8. Section 11, chapter 340, Laws of 1981 as last amended by section 9, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((10,295,000))~~

	<u>10,222,000</u>
General Fund—Judiciary Education Account Appropriation	\$ 359,000
Total Appropriation	\$ ((+10,654,000))
	<u>10,581,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,185,000 of the general fund appropriation may be spent for the superior court judges, including prior claims. Of this amount, \$((310,000)) 280,000 is provided solely for criminal cost bills, including prior claims; \$300,000 is provided solely for mandatory arbitration costs, including prior claims; and \$114,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) Effective July 1, 1982, costs associated with the operation of the judicial council shall be borne by the administrator for the courts.

Sec. 9. Section 12, chapter 340, Laws of 1981 as last amended by section 10, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JUDICIAL COUNCIL

General Fund Appropriation	\$ ((+29,000))
	<u>126,000</u>

The appropriation in this section is subject to the following condition or limitation: \$((+29,000)) 126,000 is provided solely for fiscal year 1982.

Sec. 10. Section 13, chapter 340, Laws of 1981 as last amended by section 11, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation—State	\$ ((3,099,000))
	<u>3,022,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,851,000 of the state general fund appropriation may be spent for executive operations.

(2) A maximum of \$193,000 of the state general fund appropriation may be spent for extradition expenses to carry out the provisions of RCW 10.34.030 providing for the return of fugitives by the governor, including prior claims and for extradition-related legal services as determined by the attorney general.

(3) A maximum of \$151,000 of the state general fund appropriation is provided solely for mansion maintenance, and no other moneys may be expended for this purpose.

(4) A maximum of \$1,000 of the state general fund appropriation may be spent for implementation of the corporate responsibilities award program under which appropriate recognition shall be awarded by the governor to those private businesses or corporations which contribute at least two percent of their before-tax profit to programs which result in a reduction in state government costs, especially those programs which aid the poor and infirm.

Sec. 11. Section 14, chapter 340, Laws of 1981 as last amended by section 12, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SPECIAL APPROPRIATIONS

General Fund Appropriation—State	\$ ((+12,569,000))
	<u>112,515,000</u>
General Fund Appropriation—Federal	\$ 20,446,000
Special Fund Salary and Insurance Contribution Increase Revolving Fund	
Appropriation	\$ 40,972,000
Total Appropriation	\$ ((+73,987,000))
	<u>173,933,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$((2,180,000)) 2,126,000 is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) (a) A maximum of \$100,984,000 of general fund moneys (including \$15,284,000 in federal funds) may be expended to implement salary increases, effective October 1, 1981, averaging 7.5% for higher education classified employees and 7.2% for commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board); and effective June 30, 1983, a salary increase averaging 7.0% for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board): **PROVIDED**, That the October 1, 1981, salary increase for higher education classified employees and state personnel board classified and exempt employees shall implement the salary ranges adopted by the higher education and state personnel boards resulting from the 1980 salary survey (catch-up results): **PROVIDED**, That

increases granted in this subsection for higher education faculty and administrative exempt employees are inclusive of increments: PROVIDED FURTHER, That exclusive of merit pool and Washington state university (143) increase funds no higher education institution or community college district may grant from any fund source whatsoever any salary increases greater than that provided in this subsection.

(b) A maximum of \$29,851,000 of general fund moneys (including \$5,162,000 in federal funds) may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$22,339,000 of this amount (including \$3,947,000 in federal funds) may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$7,512,000 of this amount (including \$1,215,000 in federal funds) may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee.

(c) A maximum of \$31,440,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect salary increases for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education, and state personnel board classified and exempt employees, (excluding student employees not under the jurisdiction of the state or higher education personnel board) calculated in accordance with the procedures outlined in subsection (2)(a) of this section.

(d) A maximum of \$9,532,000 of special fund salary and insurance contribution increase revolving fund moneys may be expended to effect increases in the state's maximum contribution for employee insurance benefits. A maximum of \$7,289,000 of this amount may be expended to effect, beginning July 1, 1981, an increase in the state's maximum contribution for employee insurance benefits from \$95.00 per month to \$121.00 per month per eligible employee. A maximum of \$2,243,000 of this amount may be expended to effect, beginning July 1, 1982, an increase in the state's maximum contribution for employee insurance benefits from \$121.00 per month to \$137.00 per month per eligible employee. Any moneys resulting from a dividend or refund attributable to the experience of an insurance or health care plan calculated at the end of the contract year shall not be used to increase employee insurance benefits over the level of services provided on April 20, 1982.

(e) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

(f) Notwithstanding any other provision of this subsection (2), Walla Walla community college may fund additional actual increments or their equivalents in salaries for each year of the biennium to equalize salaries to the state-wide average salaries as reflected by the average base salary of the annually contracted professional personnel of the Washington community colleges.

Sec. 12. Section 15, chapter 340, Laws of 1981 as last amended by section 13, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((197,000))
		<u>192,000</u>

Sec. 13. Section 16, chapter 340, Laws of 1981 as last amended by section 14, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	((3,730,000))
		<u>3,674,000</u>
Archives and Records Management Account Appropriation	\$	1,135,000
Total Appropriation	\$	((4,865,000))
		<u>4,809,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$923,000 is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.
- (2) \$559,000 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.
- (3) \$24,000 is provided solely for costs associated with redistricting.

Sec. 14. Section 17, chapter 340, Laws of 1981 as amended by section 18, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS, THE COMMISSION ON ASIAN-AMERICAN AFFAIRS, AND THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

Commission on Mexican-American Affairs

General Fund Appropriation	\$	((105,000))
		<u>102,000</u>

Commission on Asian-American Affairs

General Fund Appropriation	\$	((+105,000))
		<u>102,000</u>

Governor's Office of Indian Affairs

General Fund Appropriation	\$	((+105,000))
		<u>102,000</u>

Total Appropriation	\$	((+315,000))
		<u>306,000</u>

The appropriations in this section are subject to the following condition and limitation: The position of executive director for each commission or office shall be retained. The agencies for which appropriations are provided by this section shall jointly fund a common secretarial/clerical pool and consolidate their respective office spaces upon expiration of current lease agreements.

Sec. 15. Section 19, chapter 340, Laws of 1981 as last amended by section 18, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation—State	\$	((+1,849,000))
		<u>1,803,000</u>
General Fund Appropriation—Federal	\$	352,000
General Fund Appropriation—Private/Local	\$	48,000
Motor Vehicle Fund Appropriation	\$	267,000
Auditing Services Revolving Fund Appropriation	\$	5,265,000
Total Appropriation	\$	((7,781,000))
		<u>7,735,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The division of municipal corporations shall give high priority to examining the accuracy of local school district reporting of staff mix and enrollment data for state reimbursement purposes. Beginning with the 1981-82 school year, any significant inaccuracies shall be reported to the attorney general and the superintendent of public instruction. The superintendent shall take action to recover any overpayment which results from the reporting of inaccurate data.

(2) No general fund moneys may be expended for the training of municipal auditors or other local personnel.

(3) Legal costs incurred by the attorney general to insure compliance with the findings of the state auditor in state agency audits shall be charged to the agency that received the audit.

(4) The total of all billings submitted to state agencies shall reflect a 10.1% reduction from the original budget preparation estimates submitted to the ways and means committee of the senate and house of representatives in the 1981 regular session of the legislature. Such reduction shall be offset by an amount not to exceed \$338,000 which reflects the impact of salary and insurance costs not provided to the Auditing Services Revolving Fund in the original budget.

Sec. 16. Section 20, chapter 340, Laws of 1981 as amended by section 20, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation	\$	((3,956,000))
		<u>3,857,000</u>
Legal Services Revolving Fund Appropriation	\$	18,537,000
Total Appropriation	\$	((22,493,000))
		<u>22,394,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the general fund appropriation is provided solely for the continuation of the crime watch program.

(2) Net savings of state general fund moneys realized by agencies as a result of the 5% reduction in legal services revolving fund billings shall be placed in reserve status by the director of financial management. These funds shall not be expended until appropriated by law.

Sec. 17. Section 21, chapter 340, Laws of 1981 as last amended by section 21, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((+2,674,000))
		<u>12,442,000</u>
General Fund Appropriation—Federal	\$	6,300,000
Total Appropriation	\$	((+8,974,000))
		<u>18,742,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$675,000 of the general fund—state appropriation is provided solely for the completion of the higher education personnel/payroll system.

(2) \$70,000 of the general fund—state appropriation is provided solely for the payment of assessments against state-owned land.

(3) \$1,821,000 of the general fund—state appropriation is provided solely for the completion, implementation, and operation of the state budget and accounting systems development.

(4) A maximum of \$1,553,000 of the general fund—state appropriation is provided for payment of supplies and services furnished in previous biennia.

(5) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state.

(6) \$5,000 of the general fund—state appropriation is provided solely as state matching funds for federal law enforcement assistance administration (LEAA) carry forward funds for local government projects.

Sec. 18. Section 24, chapter 340, Laws of 1981 as last amended by section 23, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DATA PROCESSING AUTHORITY (OR SUCCESSOR AGENCY)

General Fund Appropriation	\$	((386,000)) 376,000
Data Processing Revolving Fund Appropriation	\$	418,000
Total Appropriation	\$	((804,000)) 794,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund appropriation is provided solely for fiscal year 1982.

(2) The data processing revolving fund appropriation is provided solely for fiscal year 1983. In making expenditures from this appropriation, the agency shall first exhaust all available funds in the equipment pool account within the data processing revolving fund before expending any other moneys in the revolving fund. After the fund balance in the equipment pool account has been expended, the data processing authority shall bill and collect from the service centers an amount equal to the remaining appropriation authority under this section and any applicable salary and benefit increase allocation.

Sec. 19. Section 25, chapter 340, Laws of 1981 as last amended by section 24, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMITTEE FOR DEFERRED COMPENSATION

General Fund Appropriation	\$	((30,000)) 29,000
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Sec. 20. Section 26, chapter 340, Laws of 1981 as last amended by section 25, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((36,074,000)) 35,809,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,794,000
Motor Vehicle Fund Appropriation	\$	110,000
Total Appropriation	\$	((38,978,000)) 38,713,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$393,000 of the state timber tax reserve account appropriation is provided solely for reimbursement to counties with timberland for the costs of establishing forest land grades for each parcel of classified or designated forest land.

(2) The department of revenue shall maintain advisory appraisals as required by RCW 84.41.060.

(3) The department of revenue shall add one full time equivalent staff year for the ((+1982)) 1983 fiscal year only to help conduct a new study of the financial impact of tax exemptions and a review of the effectiveness and problems of the current use law.

(4) That portion of the general fund—state appropriation which is allotted to the inheritance tax division for fiscal year 1983 is reduced by \$125,000 in this 1981 amendatory act in recognition of the passage of Initiative No. 402 and the resultant workload decrease in the inheritance tax division.

(5) \$2,310,000 of the general fund—state appropriation is provided solely for costs incurred by the excise tax division and the interpretation and appeals division as a result of the expanded effort at revenue recovery and appeals resolution.

(6) The department of revenue shall make every effort to implement the 1982 revisions to this section by making program reductions which will cause minimal loss of state revenues.

Sec. 21. Section 27, chapter 340, Laws of 1981 as last amended by section 26, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund Appropriation	\$	((858,000)) 837,000
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Sec. 22. Section 28, chapter 340, Laws of 1981 as last amended by section 27, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((6,310,000)) 6,152,000
General Fund Appropriation—Private/Local	\$	89,000
General Fund—Motor Transport Account Appropriation	\$	8,688,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	13,378,000
Total Appropriation	\$	((28,465,000))

28,307,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of general administration shall not expend any of the general fund appropriation for the replacement of motor transport division vehicles.

(2) The department of general administration shall provide insurance coverage for all state-owned, state-chartered, state-rented, or state employee-owned aircraft being used on authorized state business, including passengers. This coverage shall be in force for all such aircraft whether piloted by a state employee or employees of a charter or rental firm. The department may require reimbursement for premium costs from user agencies on a pro rata basis.

(3) The department of agriculture shall transfer \$21,000 from its local fund accounts to the motor transport account. The state treasurer shall transfer to the motor transport account \$29,000 from the grain and hay inspection fund, \$8,000 from the community college capital projects account, and \$24,000 from the highway safety fund. These transfers shall be in accordance with schedules provided by the office of financial management.

Sec. 23. Section 29, chapter 340, Laws of 1981 as last amended by section 28, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund Appropriation	\$	((7,043,000))
		<u>6,867,000</u>

The appropriation in this section is subject to the following condition or limitation: \$70,000 is provided solely for work associated with the revisions to the valuation and nonforfeiture statutes as contained in chapter 9, Laws of 1982 1st ex. sess.

Sec. 24. Section 33, chapter 340, Laws of 1981 as last amended by section 30, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((870,000))
		<u>848,000</u>

Sec. 25. Section 36, chapter 340, Laws of 1981 as last amended by section 31, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((539,000))
		<u>534,000</u>

The appropriation in this section is subject to the following condition or limitation: The board of accountancy shall not restrict entrance to CPA examinations as a result of reductions in state funding.

Sec. 26. Section 37, chapter 340, Laws of 1981 as last amended by section 32, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOXING COMMISSION

General Fund Appropriation	\$	((62,000))
		<u>60,000</u>

Sec. 27. Section 41, chapter 340, Laws of 1981 as last amended by section 34, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PHARMACY BOARD

General Fund Appropriation	\$	((937,000))
		<u>914,000</u>

The appropriation in this section is subject to the following condition or limitation: No moneys appropriated in this section may be expended for continuation of the diversion investigation unit.

Sec. 28. Section 44, chapter 340, Laws of 1981 as last amended by section 35, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EMERGENCY SERVICES

General Fund Appropriation—State	\$	((975,000))
		<u>957,000</u>
General Fund Appropriation—Federal	\$	<u>2,227,000</u>
Total Appropriation	\$	((3,202,000))
		<u>3,184,000</u>

The appropriations in this section are subject to the following condition or limitation: \$242,000 of the general fund—state appropriation is provided solely to reimburse the federal emergency management agency for the state's share of costs of individual and family grants provided for disaster relief: PROVIDED, That the department of emergency services, in conjunction with the department of social and health services, will reinstate an appeal process to the federal emergency management agency with respect to the \$87,102 in audit exceptions relative to the 1977 floods.

Sec. 29. Section 45, chapter 340, Laws of 1981 as last amended by section 36, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund Appropriation—State	\$	((6,140,000))
		<u>5,987,000</u>
General Fund Appropriation—Federal	\$	<u>1,764,000</u>

Total Appropriation \$ ((7,904,000))
7,751,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$279,000 of the general fund—state appropriation is provided solely for the continuation of the educational assistance grant program, of which a maximum of \$10,000 may be expended for administrative costs.

(2) \$32,000 of the general fund—state appropriation is provided solely for the Washington state guard.

(3) The military department shall make every effort to implement the 1982 revisions to this section by reducing programs whose funding does not affect the receipt of federal grants or contracts.

Sec. 30. Section 46, chapter 340, Laws of 1981 as last amended by section 37, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund Appropriation \$ ((1,138,000))
1,110,000

Sec. 31. Section 48, chapter 340, Laws of 1981 as last amended by section 39, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation \$ ((43,419,000))
42,299,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$((15,038,000)) 14,218,000 is provided solely to contract with nonprofit corporations to provide diversionary programs and operate and/or contract for work/training release for convicted felons: PROVIDED, That \$999,000 of this appropriation is provided solely for pre-trial diversion and the continuation of the alternatives to street crime programs in Snohomish, Pierce and Clark counties. Such funds shall be distributed to the counties in a timely manner: PROVIDED FURTHER, That \$375,000 of this appropriation is provided solely for the continuation of 50 work/training release beds at the Progress House Association of Tacoma.

(b) \$((2,479,000)) 2,419,000 is provided solely for intensive parole.

(c) \$((21,777,000)) 21,519,000 is provided solely for probation and parole.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation \$ 149,390,000

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department of corrections shall present to the legislature by October 12, 1981, a comprehensive institutional educational policy. This report shall explain the basis for selection of educational programs and participation and shall outline program and payment policies for contracting for educational services. The report shall include, but is not limited to, a detailing by month for each institution of the programs, program goals, staffing, costs per offering, and actual and estimated inmate participation.

(b) It is the intent of the legislature that custody staff at adult correctional institutions not be reduced below the levels existing on June 1, 1982.

(c) It is the assumption of the legislature that the appropriation in this subsection initially provides:

(i) \$24,731,000 for the Washington Corrections Center, excluding funds related to court orders under Hoptowitz v. Ray, No. 79-359 (E. D. Wash.);

(ii) \$38,312,000 for the Washington State Penitentiary, excluding funds relating to court orders under Hoptowitz v. Ray, No. 79-359 (E. D. Wash.);

(iii) \$1,010,000 for the Monroe mental health unit;

(iv) \$24,990,000 for the Washington State Reformatory;

(v) \$8,269,000 for the Purdy Treatment Center for Women;

(vi) \$20,816,000 for the McNeil Island Penitentiary;

(vii) \$9,090,000 for the Special Offenders Center;

(viii) Funds for other costs associated with honor camps and the Pine Lodge Corrections Center.

(3) PROGRAM SUPPORT

General Fund Appropriation \$ ((14,344,000))
13,646,000

General Fund—Institutional Impact Account Appropriation \$ 525,000

Total Appropriation \$ ((14,869,000))
14,171,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$500,000 is provided solely for individual legal services. There shall be no solicitation of legal action and all informal means of resolving disputes shall be utilized. These funds shall not be used to support class action litigation.

(b) \$2,902,000 is provided solely for costs directly resulting from the decision in Hoptowitz v. Ray, No. 79-359 (E. D. Wash.): PROVIDED, That no expenditure of funds may be made without the signature of the agency's assistant attorney general on the authorizing document.

(c) \$1,557,000 for fiscal year 1982 and \$4,902,000 for fiscal year 1983 are provided solely to address population overrun in excess of current bed capacity. Such funds shall be released only with the approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

(d) \$1,079,000 is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(4) Funds may be transferred from program support to institutional services for costs associated with Hoptowitz v. Ray, No. 79-359 (E. D. Wash.), and population overruns to the extent provided for in this section.

(5) The department of corrections shall in conjunction with the office of financial management and the committees on ways and means of the senate and house of representatives develop staff-to-inmate ratios or a system of post assignment for each correctional unit by August 1, 1981. By September 1, 1981, a written report on proposed staffing levels shall be presented to the legislature comparing this staffing to prior biennial levels and discussing its programmatic and fiscal implications.

Sec. 32. Section 49, chapter 340, Laws of 1981 as amended by section 43, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State.....	\$	19,010,000
General Fund Appropriation—Federal.....	\$	57,000
Total Appropriation.....	\$	19,067,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,228,000 of the general fund—state appropriation is provided solely for community diagnostic services.

(b) \$700,000 from the general fund—state appropriation is provided solely for additional group home beds.

(c) \$224,000 is provided solely to establish a special treatment program for violent assault offenders in community programs.

(d) \$175,000 from the general fund—state appropriation is provided solely to increase the bed capacity of state-operated group homes.

(e) \$8,104,000 is provided solely for consolidated local programs. It is the intent of this funding to reduce existing program categorical barriers for funding and services and to support coordinated community-based treatment programs designed to more effectively and efficiently rehabilitate youthful offenders while protecting society. The department of social and health services shall report to the legislature by January 15, 1982, on the services funded under this program and the success of the programs in preventing institutionalization and reducing recidivism.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State.....	\$	(35,443,000)
		<u>35,168,000</u>
General Fund Appropriation—Federal.....	\$	682,000
Total Appropriation.....	\$	(36,125,000)
		<u>35,850,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$428,000 is provided solely for a violent assault offender unit at the Green Hill School.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

(i) \$10,046,000 (including \$9,834,000 from the state general fund) for the Echo Glen Children's Center to operate at least twelve cottages;

(ii) \$8,646,000 (including \$8,456,000 from the state general fund) for the Maple Lane School to operate at full bed capacity;

(iii) \$10,095,000 (including \$9,965,000 from the state general fund) for the Green Hill School to operate at full bed capacity;

(iv) \$4,483,000 (including \$4,393,000 from the state general fund) for the Naselle Youth Camp to operate at full bed capacity; and

(v) \$2,855,000 (including \$2,795,000 from the state general fund) for the Mission Creek Youth Camp to operate at full bed capacity.

(3) PROGRAM SUPPORT

General Fund Appropriation.....	\$	1,889,000
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Sec. 33. Section 50, chapter 340, Laws of 1981 as last amended by section 40, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State.....	\$	(52,911,000)
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General Fund Appropriation—Federal	\$	(14,759,000)	52,311,000
			<u>14,660,000</u>
General Fund Appropriation—Local	\$		922,000
Total Appropriation	\$	(68,592,000)	<u>67,893,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$48,948,000 of which ~~\$(34,613,000)~~ 34,262,000 is from the general fund—state appropriation is provided solely for community mental health services. Of this amount, \$1,150,000 of the general fund—state appropriation is provided solely for 90 new residential treatment facility beds: PROVIDED, That Substitute House Bill No. 353 is passed during the 1981 legislative session: PROVIDED FURTHER, That if Substitute House Bill No. 353 should not pass, the funds provided for these beds shall be transferred to the institutional category of the mental health divisions appropriation. These beds are to be phased in according to the following schedule: 30 beds available January 1, 1982; an additional 30 beds available July 1, 1982; and an additional 30 beds available January 1, 1983. The department of social and health services shall contract for these beds at a rate not exceeding \$35.00 per day. These beds shall serve the chronically mentally ill.

(b) \$19,644,000 of which \$18,298,000 is from the general fund—state appropriation is provided solely for Involuntary Treatment Act costs. Up to \$2,200,000 of the general fund—state appropriation is provided for 60 new evaluation and treatment beds. These beds are for 72-hour and 14-day commitments. All 60 beds shall be available no later than January 1, 1983. The department of social and health services shall contract for these beds at a rate not to exceed \$50.00 per day.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(77,511,000)	
			<u>77,354,000</u>
General Fund Appropriation—Federal	\$		5,085,000
Total Appropriation	\$	(82,596,000)	<u>82,439,000</u>

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$49,931,000, of which \$47,464,000 is from state funds, is provided solely for Western State Hospital.

(b) \$24,410,000, of which \$22,717,000 is from state funds, is provided for Eastern State Hospital.

(c) \$4,856,000, of which \$4,105,000 is from state funds, is provided solely for the PORTAL program at the Northern State facility. The secretary of social and health services shall prepare a report for submittal to the legislature by October 1, 1982, on the feasibility and method for implementing the residential treatment program utilized by PORTAL, in communities around the state.

(d) \$3,399,000, of which \$3,225,000 is from state funds, is provided solely for the child study and treatment center.

(e) Upon completion of the new hospital beds at the state hospitals, the department may, by contract, allow other public agencies to utilize the beds made surplus by the opening of the new facility if those agencies provide the funds to cover the full cost of such operation. The hospital shall account for these patients separately from state-supported patients. The care of these patients shall not be subject to the staff-to-patient ratio required in this act.

(f) It is the intent of the legislature that direct patient care services at mental health institutions not be reduced below the levels existing on June 1, 1982.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	1,410,000
General Fund Appropriation—Federal	\$	320,000
Total Appropriation	\$	1,730,000

The appropriations in this subsection are subject to the following condition or limitation: \$579,000 from the general fund—state appropriation is provided solely for the continuation of the case management projects in Snohomish, King, Pierce, and Clark counties, and such other counties as funds allow: PROVIDED, That each county receiving these funds shall develop a method of funding case management within its 1983-85 grant-in-aid awards.

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	1,851,000
General Fund Appropriation—Federal	\$	549,000
Total Appropriation	\$	2,400,000

Sec. 34. Section 51, chapter 340, Laws of 1981 as last amended by section 41, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(46,778,000)	45,982,000
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General Fund Appropriation—Federal	\$	((9,434,000))
		8,934,000
Total Appropriation	\$	((56,212,000))
		54,916,000

((The appropriations in this subsection are subject to the following condition or limitation: \$1,000,000 of which \$500,000 is from federal funds is provided solely for the fragile children's program to be implemented during fiscal year 1982. PROVIDED, That a maximum of \$70,000 of these moneys may be expended for start-up costs for group homes. PROVIDED, That up to \$35,000 may be expended to develop a Title XIX waiver plan for community services. If the fragile children's program is not developed by January 1, 1983, then these funds shall revert to the general fund except for those funds expended for group home start-up costs and the Title XIX waiver.))

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((83,528,000))
		82,904,000
General Fund Appropriation—Federal	\$	((49,036,000))
		48,829,000
Total Appropriation	\$	((132,564,000))
		131,733,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department of social and health services in conjunction with the superintendent of public instruction and a legislative study committee shall study the services provided by the School for the Deaf and the School for the Blind. The study shall be prepared in consultation with the parents of students enrolled in these schools as well as members of the deaf and blind community. The study shall include the role these schools play in the provision of education to sensory handicapped pupils in the state. The study shall further include an assessment of the advantages and disadvantages of continuing the operation of the schools; changing the operation of the schools; and closing the schools and serving the students through public schools' special programs. The report shall be completed and submitted to the legislature for review by December 30, 1981.

(b) It is the assumption of the legislature that the appropriations in this subsection initially provide:

- (i) \$32,544,000 for the Fircrest School to operate at a biennial average daily population of 491;
- (ii) \$15,264,000 for the Interlake School to operate at a biennial average daily population of 248;
- (iii) \$34,237,000 for the Rainier School to operate at a biennial average daily population of 531;
- (iv) \$24,651,000 for Lakeland Village to operate at a biennial average daily population of 359;
- (v) \$10,020,000 for the Yakima Valley School to operate at a biennial average daily population of 148;
- (vi) \$3,921,000 for the Francis Haddon Morgan Children's Center to operate at a biennial average daily population of 55; and
- (vii) \$1,117,000 for the Cerebral Palsy Center to operate at a biennial average daily population of 16.

(3) SPECIAL PROJECTS

General Fund Appropriation—State	\$	984,000
General Fund Appropriation—Federal	\$	2,397,000
Total Appropriation	\$	3,381,000

(4) PROGRAM SUPPORT

General Fund Appropriation—State	\$	((3,056,000))
		2,962,000
General Fund Appropriation—Federal	\$	((227,000))
		209,000
Total Appropriation	\$	((3,283,000))
		3,171,000

Sec. 35. Section 52, chapter 340, Laws of 1981 as last amended by section 42, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—NURSING HOMES PROGRAM

General Fund Appropriation—State	\$	((167,275,000))
		164,790,000
General Fund Appropriation—Federal	\$	((167,327,000))
		164,842,000
Total Appropriation	\$	((334,602,000))
		329,632,000

The appropriations in this section are subject to the following condition or limitation: This appropriation assumes passage of Senate Bill No. 3765 and a two-year delay of implementation of chapter 74.46 RCW.

Sec. 36. Section 53, chapter 340, Laws of 1981 as last amended by section 43, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME MAINTENANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((308,198,000))
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	<u>305,304,000</u>
General Fund Appropriation—Federal	\$ ((319,194,000))
	<u>316,762,000</u>
Total Appropriation	\$ ((627,392,000))
	<u>622,066,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$20,000,000 is provided solely for implementation of the consolidated emergency assistance program to provide specifically directed cash or in-kind benefits to meet the specific emergent need(s) of the applicant. Aid may be provided for up to two months in any consecutive twelve-month period to low-income families with children who are ineligible for other state or federal assistance. It is the intent of the legislature that eligibility requirements shall be stricter than AFDC requirements. The department of social and health services shall immediately apply for waivers under Title XI, section 1115 of the federal social security act to allow federal matching funds to be used for the consolidated emergency assistance program as provided for in this section and in chapter 74.04 RCW (Senate Bill No. 4299).

(2) \$45,282,000 of the general fund—state appropriation is provided solely for income maintenance grants for the general assistance—unemployable program.

(3) The department of social and health services shall immediately evaluate federal proposals which are presently legal options to the states and implement those which are found to be cost-effective. In addition, the department shall seek waivers for any specific federal proposals which are cost-effective and are not now authorized. When waivers are obtained, changes shall be implemented. The department of social and health services shall provide proper notification, in accordance with state and federal laws and regulations, of any changes that are implemented. Furthermore, the department of social and health services shall draft rules to implement enacted changes to Title IV-A of the federal social security act prior to the issuance of federal regulations in order to avoid overexpenditure of state funds.

(4) The department of social and health services shall submit a report no later than November 2, 1981, to the committees on ways and means, social and health services, and human services of the senate and house of representatives detailing the implementation schedule and fiscal and program impact of these changes.

(5) It is the assumption of the legislature that the appropriations in this section initially provide:

- (a) \$44,220,000 from federal funds for energy assistance;
- (b) \$61,220,000 from federal funds for Indochinese refugees;
- (c) \$20,000,000 from the state general fund for the consolidated emergency assistance program;
- (d) \$453,334,000 (including \$219,086,000 from the state general fund) for aid to families with dependent children, with a caseload assumption for fiscal year 1982 of 59,890 cases and a caseload assumption for fiscal year 1983 of 61,797 cases;
- (e) \$31,103,000 from the state general fund for the supplemental security income state supplement;
- (f) \$53,428,000 from the state general fund for general assistance, with a caseload assumption for fiscal year 1982 of 9,075 cases and a caseload assumption for fiscal year 1983 of 9,692 cases;
- (g) \$2,034,000 from the state general fund for supplemental security income—additional requirements;
- (h) \$2,116,000 from the state general fund for burial assistance;
- (i) \$2,361,000 (including \$1,475,000 from the state general fund) for employment and training day-care; and
- (j) \$2,468,000 (including \$247,000 from the state general fund) for work incentive payments.

Sec. 37. Section 54, chapter 340, Laws of 1981 as last amended by section 44, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES GRANTS PROGRAM

General Fund Appropriation—State	\$ ((311,151,000))
	<u>127,518,000</u>
General Fund Appropriation—Federal	\$ ((60,976,000))
	<u>60,904,000</u>
General Fund Appropriation—Local	\$ 105,000
Total Appropriation	\$ ((192,232,000))
	<u>188,527,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$((41,511,000)) 39,170,000 of which \$16,044,000 is from federal funds is provided solely for the provision of chore services to persons at risk of institutionalization who meet the eligibility criteria in RCW 74.08.541, and for the support of programs utilizing volunteers to provide chore services. Out of these moneys, a limited chore service program shall be provided in which services are provided solely on an hourly basis, with a monthly lid on chore service hours which may be authorized. Also out of these moneys, chore services shall be provided to clients in need of attendant care whose services are authorized on a monthly rate basis. The department of social and health services shall immediately seek waivers which allow the use of Title XX funds in a lidded program. Within available funds, the department of social and health services shall ensure that the portion of chore services provided in accordance with RCW 74.08.541 is sufficient to ensure that the client's remaining income after purchasing his or her share of chore services is not less than 30% of the state median income adjusted for family size. Chore services may additionally be provided out of

these moneys on a case-by-case exception-to-policy basis to severely handicapped persons in need of attendant care whose income exceeds 30% of the state median income but does not exceed 57% of the state median income. Services may be provided under this subsection only to the extent necessary to allow the individual to remain in his or her own home, and no services may be authorized for more than ninety days at any one time.

(2) \$1,201,000 of the general fund—state appropriation is provided solely for long-term alcoholism beds.

(3) ~~\$(13,840,000)~~ 13,714,000 of the general fund—state appropriation is provided solely for implementation of the senior citizens services act. At least 7.0% of these funds shall be used to develop and implement programs which utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the state chore service program.

(4) ~~\$(1,148,000)~~ 1,098,000 of the general fund—state appropriation is provided solely for the victims of domestic violence program.

(5) ~~\$(833,000)~~ 783,000 of the general fund—state appropriation, or so much thereof as may be necessary, is provided solely for the migrant day-care program.

(6) \$40,000 of the general fund—state appropriation in this subsection is provided solely to complete the child abuse demonstration project directed by RCW 74.13.200.

(7) \$600,000 is provided solely for a cost-shared day care program which serves low-income employed parents throughout the remainder of the biennium within the funds provided in this subsection.

(8) It is the assumption of the legislature that the appropriations in this section initially provide:

(a) \$15,851,000 (including \$11,559,000 from the state general fund) for alcoholism grants;

(b) \$5,475,000 (including \$4,590,000 from the state general fund) for detoxification;

(c) \$9,558,000 (including \$3,545,000 from the state general fund) for substance abuse grants;

(d) \$2,500,000 from federal funds for Indochinese refugees;

(e) \$17,642,000 from federal funds for aging services under Title III of the federal older Americans act;

(f) \$14,960,000 from the state general fund for the senior citizens services act;

(g) \$4,482,000 (including \$2,275,000 from the state general fund) for crisis residential centers;

(h) \$28,887,000 from the state general fund for congregate care facilities;

(i) \$45,072,000 (including \$38,120,000 from the state general fund) for foster care payments, with a caseload assumption of 5,433 for fiscal year 1982 and a caseload assumption of 5,327 for fiscal year 1983;

(j) \$8,931,000 (including \$1,758,000 from the state general fund) for child care payments;

(k) \$4,816,000 (including \$4,372,000 from the state general fund) for adoption support;

(l) \$43,698,000 (including \$24,132,000 from the state general fund) for chore services;

(m) \$1,148,000 from the state general fund for victims of domestic violence;

(n) \$831,000 (including \$150,000 from the state general fund) for adult day care;

(o) \$2,537,000 (including \$634,000 from the state general fund) for crisis intervention services;

(p) \$1,200,000 from the state general fund for adult family homes; and

(q) \$144,000 from the state general fund for nursing home discharge allowances.

Sec. 38. Section 55, chapter 340, Laws of 1981 as last amended by section 45, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE GRANTS PROGRAM

General Fund Appropriation—State	\$	((253,219,000)) 245,079,000
General Fund Appropriation—Federal	\$	((212,081,000)) 205,411,000
Total Appropriation	\$	((465,300,000)) 450,490,000

The appropriations in this section are subject to the following conditions or limitations:

(1) \$43,999,000 of the general fund—state appropriation is provided solely for the medical care of individuals not eligible for categorical assistance. Eligibility standards and scope of service shall be determined by the department of social and health services.

(2) \$34,146,000 of the general fund—state appropriation is provided solely for the medical component of the general assistance—unemployable program.

(3) The legislature supports efforts to maximize the cost benefits of pre-paid risk-sharing contracts in the provision of medical services through health maintenance organizations (HMOs) and individual practice associations (IPAs). The department is directed to seek increased participation of recipients enrolled in these programs. The legislature further supports the use of a hospital reimbursement system based on prospectively established rates. The department shall cooperate with the hospital commission in determining the possible savings to the state of using such a system.

(4) The department of social and health services shall establish by rule a system to insure that these funds are not expended to cover persons who are already covered by private or public programs.

(5) \$7,700,000 of the general fund—state appropriation is provided solely to lower the deductible for medically indigent persons from \$1,500 per year to \$500 per year, effective April 1, 1982.

Sec. 39. Section 56, chapter 340, Laws of 1981 as amended by section 50, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

General Fund Appropriation—State.....	\$	((32,938,000))
		32,738,000
General Fund Appropriation—Federal.....	\$	((50,028,000))
		49,900,000
General Fund Appropriation—Local.....	\$	((2,842,000))
		2,922,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Appropriation.....	\$	10,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation.....	\$	19,900,000
Total Reappropriation.....	\$	19,900,000
Total New Appropriation.....	\$	85,323,000
Total Appropriation.....	\$	((115,708,000))
		115,460,000

Sec. 40. Section 57, chapter 340, Laws of 1981 as last amended by section 46, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund Appropriation—State.....	\$	((15,666,000))
		14,958,000
General Fund Appropriation—Federal.....	\$	((27,468,000))
		27,419,000
Total Appropriation.....	\$	((43,134,000))
		42,377,000

Sec. 41. Section 58, chapter 340, Laws of 1981 as last amended by section 47, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State.....	\$	((56,017,000))
		54,609,000
General Fund Appropriation—Federal.....	\$	((4,191,000))
		43,123,000
General Fund—Institutional Impact Account Appropriation.....	\$	75,000
Total Appropriation.....	\$	((100,283,000))
		97,807,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,187,000 of the general fund—state appropriation is provided solely for the integrated systems development project. This project shall include among its top priorities the development of a method for the identification of common client information and the tracking of clients through all human service programs provided by the department of social and and health services. This project is subject to the following conditions:

(a) By October 1, 1982, the department of social and health services shall make reports available to the legislature that analyze client, service delivery, and service cost data across systems containing common client identifier information, including but not limited to Social Service Payment Systems, Medicaid Management Information Systems, and the Interactive Terminal Input Systems/Client Financial Systems.

(b) \$686,000 of this sum shall be used to: (i) Establish a centralized data administration function; (ii) enhance and establish centralized data security and privacy controls; and (iii) implement a comprehensive data system methodology. By October 1, 1982, the department shall submit a report to the legislature that includes: (i) Plans for including each client, service cost, and service delivery information system in the department's data dictionary; (ii) an approach for unique identifications of individual service recipients, service recipient households, and service recipient families, and for the incorporation of such in each client, service cost, and service delivery information system; and (iii) plans for extracting data from those systems which include unduplicated recipient counts and service histories.

(c) These systems shall meet the following criteria: (i) Contain client, service cost, service delivery, or financial data; and (ii) lend themselves to rapid, flexible, and efficient data extraction and report generation. Those systems containing client information should include unique identifiers of individual recipients, recipient families, and recipient households with confidentiality of patient information and records as provided by state and federal law.

(d) A high priority of projects funded with this appropriation is the mental health information system for institutions and community mental health. This project shall be developed and completed during the 1981-83 biennium.

(2) In addition to any other reporting requirements, the department of social and health services shall report in writing to the committees on ways and means of the senate and house of representatives not later than January 15, 1982, and January 14, 1983, on actions taken to implement the conditions and limitations provided in sections 47 through 60 of this act and on the funds expended in support of each condition or limitation. If a department of corrections is created, it shall provide any reports required under this subsection for the conditions and limitations established in sections 47 and 48 of this act.

(3) The department of social and health services shall perform ongoing random samplings of those individuals affected by the elimination and/or reduction of public assistance programs and chore services as required by this budget. This study shall include the detailing of the following impacts: (a) The extent to which individuals are institutionalized as the result of loss of assistance or service; (b) the number of individuals who were able to find assistance from private sources to meet basic needs; (c) the number of individuals who became enrolled in another state or locally funded program: PROVIDED, That the department shall make regular reports to the legislature detailing the progress of the projects done under the authority of this section.

(4) The secretary of social and health services may transfer up to seven million dollars of general fund—state appropriations into this program from sections 49, 50, 51, 52, 53, 54, 55, 56, 57, and 59 of chapter 340, Laws of 1981, as amended, as savings occur in those programs.

Sec. 42. Section 59, chapter 340, Laws of 1981 as last amended by section 48, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((+100,661,000))
		<u>101,062,000</u>
General Fund Appropriation—Federal	\$	((+26,524,000))
		<u>127,275,000</u>
General Fund Appropriation—Local	\$	48,000
Total Appropriation	\$	((227,233,000))
		<u>228,385,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall monitor and determine the net reduction in income maintenance and medical costs as a result of the employment and training program.

(2) The department of social and health services in conjunction with the employment security department shall seek federal funding to support the placement incentive demonstration project.

(3) The department of social and health services in conjunction with the employment security department shall monitor and determine the net reduction in income maintenance and medical costs as a result of the placement incentive demonstration project.

(4) \$350,000 is provided solely for the sexual assault victims program.

(5) The department shall provide necessary assistance in each community service office to ensure that applicants or recipients of general assistance who may qualify for supplemental security income make prompt application for and actively pursue qualification for the supplemental security income program.

Sec. 43. Section 61, chapter 340, Laws of 1981 as last amended by section 50, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((+4,285,000))
		<u>13,928,000</u>
General Fund Appropriation—Local	\$	2,496,000
Total Appropriation	\$	((+6,781,000))
		<u>16,424,000</u>

Sec. 44. Section 62, chapter 340, Laws of 1981 as last amended by section 51, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PLANNING AND COMMUNITY AFFAIRS AGENCY

General Fund Appropriation—State	\$	((4,206,000))
		<u>4,101,000</u>
General Fund Appropriation—Federal	\$	28,152,000
Total Appropriation	\$	((32,358,000))
		<u>32,253,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,000 of the general fund—state appropriation is provided solely for City Fair—Seattle.

(2) In anticipation of significant reductions in federal support, the agency shall prepare a contingency expenditure plan which adjusts the allotments to reflect the anticipated loss of federal funds and required state matching funds. This contingency plan shall include necessary program changes and a redefinition of services. As a result of any loss of federal funds, subsequent state matching funds shall be placed in reserve. The contingency plan shall be transmitted to the legislature upon completion.

(3) A maximum of \$1,132,000 of the general fund—state appropriation is provided for the Mt. St. Helens Zone Enforcement/Assistance Project to expedite a coordinated three-county response to an emergency generated by tourist and public response to Mt. St. Helens volcano activity and/or disaster.

(4) \$107,000 of the general fund—state appropriation is provided solely for additional state support to continue the federally funded Section 8 low-income housing program.

Sec. 45. Section 66, chapter 340, Laws of 1981 as last amended by section 53, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation—State.....	\$	(7,684,000)
		<u>7,492,000</u>
General Fund—Crime Victims' Compensation Account Appropriation	\$	160,000
Accident Fund Appropriation—State.....	\$	39,401,000
Accident Fund Appropriation—Federal	\$	366,000
Electrical License Fund	\$	7,381,000
Medical Aid Fund Appropriation	\$	33,619,000
Plumbing Certificate Fund	\$	283,000
Pressure Systems Safety Fund	\$	827,000
Total Appropriation	\$	((89,721,000))
		<u>89,529,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) General fund expenditures for the building and construction program together with associated indirect cost and salary increase costs shall not exceed general fund revenue from the building and construction program.

(2) \$1,094,000 of the general fund—state appropriation is provided solely for the fiscal year 1982 employment standards and apprenticeship programs. Fiscal year 1983 funding shall be determined on the basis of a legislative budget committee review of the employment standards program within the criteria established in chapter 43.131 RCW and complete a report prior to December 15, 1981. Fiscal year 1983 funding of the apprenticeship program shall be determined on the basis of a legislative study to be completed by January 15, 1982.

(3) \$2,630,000 of the general fund—state appropriation is provided solely for victims of crime benefit payments.

Sec. 46. Section 68, chapter 340, Laws of 1981 as last amended by section 55, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State.....	\$	((474,000))
		<u>462,000</u>
General Fund Appropriation—Federal.....	\$	128,000
General Fund—Hospital Commission Account Appropriation	\$	915,000
Total Appropriation	\$	((1,517,000))
		<u>1,505,000</u>

The appropriations in this section are subject to the following condition or limitation: The hospital commission shall further review the benefits and possible savings to the state of utilizing a reimbursement system based on prospectively established hospital rates.

Sec. 47. Section 69, chapter 340, Laws of 1981 as last amended by section 56, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State.....	\$	((1,988,000))
		<u>1,938,000</u>
General Fund Appropriation—Federal.....	\$	158,908,000
General Fund Appropriation—Local	\$	23,571,000
Administrative Contingency Fund Appropriation—Federal	\$	2,231,000
Unemployment Compensation Administration Fund Appropriation	\$	93,132,000
Total Appropriation	\$	((279,830,000))
		<u>279,780,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$729,000 of the general fund—state appropriation is provided solely for work orientation of ex-offenders.

(2) \$300,000 of the general fund—state appropriation is provided solely for a placement incentive demonstration project to serve AFDC-R recipients who have been on assistance for three consecutive years or more and have been determined to have the most severe barriers to employment.

The goal of this program is to establish a demonstration program that will use performance-based contracts to achieve full-time job placement and ensure long-term job retention. Not more than \$1,000 may be spent per participant and the payment schedule shall be structured to ensure incentive is built-in with twelve-month job retention for a minimum of 50% of the participants. The results of this program will be analyzed and evaluated and a written report will be submitted to the legislature by January, 1983. The report shall also contain comparative analysis of other similar employment and training programs including the employment and training program of the department of social and health services. The employment security department shall cooperate with the department of social and health services in seeking federal funds for this program and in monitoring savings in income maintenance and medical assistance as a result.

Job services employees and job services related activities which are federally funded are not subject to the reductions provided in this 1982 amendatory act.

Sec. 48. Section 70, chapter 340, Laws of 1981 as amended by section 61, chapter 14, Laws of 1981 2nd ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR THE BLIND

General Fund Appropriation—State.....	\$	((2,468,000))
		2,406,000
General Fund Appropriation—Federal.....	\$	5,254,000
Total Appropriation.....	\$	((7,722,000))
		7,660,000

Sec. 49. Section 71, chapter 340, Laws of 1981 as last amended by section 58, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE JAIL COMMISSION

General Fund Appropriation.....	\$	((339,000))
		331,000
General Fund—Local Jail Improvement and Construction Account Appropriation.....	\$	511,000
Total Appropriation.....	\$	((850,000))
		842,000

Sec. 50. Section 72, chapter 340, Laws of 1981 as last amended by section 59, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State.....	\$	((1,005,000))
		980,000
General Fund Appropriation—Federal.....	\$	4,641,000
Total Appropriation.....	\$	((5,646,000))
		5,621,000

Sec. 51. Section 73, chapter 340, Laws of 1981 as last amended by section 60, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund Appropriation.....	\$	((66,000))
		64,000

Sec. 52. Section 74, chapter 340, Laws of 1981 as amended by section 61, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State.....	\$	((17,515,000))
		17,077,000
General Fund Appropriation—Federal.....	\$	14,380,000
General Fund—Special Grass Seed Burning Research Account Appropriation.....	\$	35,000
General Fund—Reclamation Revolving Account Appropriation.....	\$	580,000
General Fund—Litter Control Account Appropriation.....	\$	4,110,000
Stream Gaging Basic Data Fund Appropriation.....	\$	200,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26).....	\$	54,315,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Reappropriation (Referendum 26).....	\$	61,797,000
General Fund—Water Pollution Control Facilities Account Appropriation.....	\$	50,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27).....	\$	7,284,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation (Referendum 27).....	\$	4,700,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.....	\$	7,358,000
General Fund—Emergency Water Project Revolving Account: Reappropriation.....	\$	6,500,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38).....	\$	18,095,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39).....	\$	84,780,000
Total Reappropriation.....	\$	72,997,000
Total New Appropriation.....	\$	((208,702,000))
		208,264,000
Total Appropriation.....	\$	((281,699,000))

281,261,000

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1981, the department of ecology shall file with the committees on ways and means of the senate and house of representatives a master compilation by project type of those projects proposed for funding during the 1981-83 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each referendum bond issue. The department shall submit updates for the master compilation to the committees on ways and means at six-month intervals during the 1981-83 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project, as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project, as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) \$130,000 of the general fund—state appropriation is provided solely to augment current department planned expenditures for the assessment of sources of, and abatement programs for, toxic substances in Commencement Bay and its waterways. Of that amount:

(a) \$90,000 is for field and laboratory studies and activities needed for determining the source or sources of toxic substances in Commencement Bay and its waterways; and

(b) \$40,000 is for collecting and analyzing samples of sediments from any deep water portions of Commencement Bay that have been utilized for waste disposal sites, for the purpose of identifying the nature and extent of the wastes deposited.

(6) \$1,306,000 of the general fund—state appropriation is provided solely for the vehicle emission inspection program.

Sec. 53. Section 75, chapter 340, Laws of 1981 as last amended by section 62, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((573,000))
		<u>559,000</u>

Sec. 54. Section 77, chapter 340, Laws of 1981 as last amended by section 63, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((24,349,000))
		<u>23,740,000</u>
General Fund Appropriation—Federal	\$	185,000
General Fund Appropriation—Private/Local	\$	467,000
General Fund—Trust Land Purchase Account Appropriation	\$	5,573,000
General Fund—Winter Recreation Parking Account Appropriation	\$	64,000
General Fund—Outdoor Recreation Account Appropriation	\$	81,000
General Fund—Snowmobile Account Appropriation	\$	555,000
Motor Vehicle Fund Appropriation	\$	600,000
Total Appropriation	\$	((31,874,000))
		<u>31,265,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$140,000 may be expended for continuation of contractual agreements with Grays Harbor and Pacific counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach.

(2) \$104,000 is provided solely for a manual campsite reservation system.

(3) A maximum of \$193,000 may be expended for a lifeguard program.

(4) A maximum of \$80,000 may be expended for the operation of the Goldendale Observatory.

(5) No moneys appropriated in this section may be expended for an agreement with the department of transportation for maintenance of the restroom at Snoqualmie Pass.

(6) \$700,000 may be expended for facility maintenance.

(7) \$162,000 may be expended for law enforcement, including an agreement with the Washington state patrol.

(8) \$75,000 is provided solely to determine the potential long-range alternative uses of the St. Edwards facility. The study shall include all potential uses, including but not limited to recreation. The results of the study shall be reported to the legislature not later than December 1, 1981.

(9) \$36,000 of this general fund—state appropriation is provided solely to provide minimal heat, air circulation, water and maintenance necessary to prevent the deterioration of the St. Edwards facility.

(10) \$15,000 may be expended to implement the recommendations of the Mt. St. Helens recreation and tourism task group for the operation of Seaquest state park tourist information center and various viewpoints and sanitary facilities.

(11) \$75,000 is provided solely for the implementation of a boat moorage fee program at selected state parks to be determined by the state parks and recreation commission.

Sec. 55. Section 78, chapter 340, Laws of 1981 as last amended by section 64, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund Appropriation—State	\$	((288,000))
		<u>281,000</u>
General Fund Appropriation—Federal	\$	205,000
Total Appropriation	\$	((493,000))
		<u>486,000</u>

Sec. 56. Section 80, chapter 340, Laws of 1981 as last amended by section 65, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation—State	\$	((8,095,000))
		<u>7,893,000</u>
General Fund Appropriation—Federal	\$	391,000
Motor Vehicle Fund Appropriation	\$	395,000
Total Appropriation	\$	((8,881,000))
		<u>8,679,000</u>

Sec. 57. Section 81, chapter 340, Laws of 1981 as last amended by section 66, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((33,632,000))
		<u>32,791,000</u>
General Fund Appropriation—Federal	\$	5,777,000
General Fund Appropriation—Private/Local	\$	1,873,000
General Fund—Lewis River Hatchery Account Appropriation	\$	27,000
Total Appropriation	\$	((41,309,000))
		<u>40,468,000</u>

The appropriations in this section are subject to the following condition or limitation: \$211,000 of the general fund—state appropriation is provided solely for bait fish and ling cod enhancement efforts.

Sec. 58. Section 83, chapter 340, Laws of 1981 as last amended by section 67, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((20,775,000))
		<u>20,256,000</u>
General Fund Appropriation—Federal	\$	1,354,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	1,711,000
General Fund—Forest Development Account Appropriation	\$	16,669,000
General Fund—State Timber Tax Reserve Account Appropriation	\$	414,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,878,000
General Fund—Resource Management Cost Account Appropriation	\$	49,977,000
Total Appropriation	\$	((92,778,000))
		<u>92,259,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,782,000 of the general fund—state appropriation is provided solely for emergency fire suppression. The funds shall also be available for interfund loans with the landowner contingency forest fire suppression account.

(2) A maximum of \$1,997,000 of the state general fund appropriation shall be expended for the operation of the Clearwater, Olympic, Larch Mountain, Indian Ridge, Cedar Creek, Maple Lane, Naselle, and Mission Creek Honor Camps.

(3) Up to \$13,000,000 of the resource management cost account appropriation may be substituted by additional forest development account funds in excess of the appropriation. Any funds so replaced shall not be expended for any purpose.

(4) \$40,000 of the resource management cost account appropriation is provided solely for lake management.

(5) The department of natural resources shall provide a report on the urban lands program to the committees on ways and means of the house of representatives and the senate by December 1, 1981. The report shall include an inventory of urban lands, a management plan for each urban parcel, involvement in land use planning, and any other information necessary for policy determination.

Sec. 59. Section 84, chapter 340, Laws of 1981 as last amended by section 68, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((8,221,000))
		<u>8,015,000</u>
General Fund Appropriation—Federal	\$	777,000
General Fund—Feed and Fertilizer Account Appropriation	\$	29,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$	358,000
Commercial Feed Fund Appropriation—State	\$	311,000
Commercial Feed Fund Appropriation—Federal	\$	22,000
Seed Fund Appropriation	\$	913,000
Nursery Inspection Fund Appropriation	\$	270,000
Grain and Hay Inspection Fund Appropriation	\$	17,278,000
Total Appropriation	\$	((28,179,000))
		<u>27,973,000</u>

The appropriations in this section are subject to the following condition or limitation: A maximum of \$13,000 of the general fund—state appropriation shall be expended for starling control.

Sec. 60. Section 85, chapter 340, Laws of 1981 as last amended by section 69, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund Appropriation	\$	((9,130,000))
		<u>8,902,000</u>
General Fund—Architects' License Account Appropriation	\$	173,000
General Fund—Opticians' Account Appropriation	\$	33,000
General Fund—Optometry Account Appropriation	\$	81,000
General Fund—Professional Engineers' Account Appropriation	\$	478,000
General Fund—Real Estate Commission Account Appropriation	\$	3,444,000
General Fund—Board of Psychological Examiners Account Appropriation	\$	42,000
Game Fund Appropriation	\$	148,000
Highway Safety Fund Appropriation	\$	33,286,000
Motor Vehicle Fund Appropriation	\$	27,399,000
Total Appropriation	\$	((74,214,000))
		<u>73,986,000</u>

Sec. 61. Section 5, chapter 289, Laws of 1981 as amended by section 70, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated to the environmental policy commission from the general fund for the biennium ending June 30, 1983, the sum of (~~forty-two~~) forty-one thousand dollars, to carry out the purposes of this act.

Sec. 62. Section 86, chapter 340, Laws of 1981 as last amended by section 71, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((11,945,000))
		<u>11,794,000</u>
General Fund Appropriation—Federal	\$	5,981,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((18,386,000))
		<u>18,235,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$460,000 may be expended for the state office administration of the traffic safety education program.

(2) The superintendent shall ensure that data reported by school districts for reimbursement and state budget planning purposes is accurate and timely.

(3) The Superintendent of Public Instruction shall not reduce the scoliosis screening program established under RCW 28A.31.132 through 28A.31.142 below the level established under chapter 340, Laws of 1981 as enacted during the 1981 regular session of the Legislature.

Sec. 63. Section 99, chapter 340, Laws of 1981 as last amended by section 79, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation—State	\$	((3,946,000))
		<u>3,895,000</u>
State Funding Sources	\$	3,373,000
Total Appropriation	\$	((7,319,000))
		<u>7,268,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Educational service districts shall be apportioned funds based upon the following schedule:

	General Fund—State	State Funding Sources
E.S.D. No. 101	\$((501,000))	\$562,000
	<u>495,000</u>	
E.S.D. No. 105	\$((479,000))	\$269,000
	<u>473,000</u>	
E.S.D. No. 112	\$((403,000))	\$453,000
	<u>398,000</u>	
E.S.D. No. 113	\$((430,000))	\$483,000
	<u>424,000</u>	
E.S.D. No. 114	\$((370,000))	\$208,000
	<u>365,000</u>	
E.S.D. No. 121	\$((352,000))	\$396,000
	<u>347,000</u>	
E.S.D. No. 123	\$((467,000))	\$262,000
	<u>461,000</u>	
E.S.D. No. 171	\$((571,000))	\$321,000
	<u>564,000</u>	
E.S.D. No. 189	\$((373,000))	\$419,000
	<u>368,000</u>	
Total	\$((3,946,000))	\$3,373,000
	<u>3,895,000</u>	

(2) School districts in the respective educational service districts shall provide the amounts specified from state funding sources accruing under section 87 of this act on a per capita enrollment basis prior to June 30th of each school year.

(3) Educational service districts may provide additional services, not funded under this section but desired by school districts, by billing the school districts desiring the services for the cost of the services.

(4) Educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

Sec. 64. Section 101, chapter 340, Laws of 1981 as amended by section 81, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	15,361,000
General Fund Appropriation—Federal	\$	5,560,000
Total Appropriation	\$	20,921,000

The appropriations in this section are subject to the following condition or limitation: The disbursements to local school districts from the appropriations in this section are subject to reductions under section 83 of ~~(this 1982 act)~~ chapter 50, Laws of 1982 1st ex. sess.: PROVIDED, That percentage reductions in this program by any school district shall not exceed ~~((0.5%))~~ 1.75% on a biennial basis.

Sec. 65. Section 105, chapter 340, Laws of 1981 as amended by section 82, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((990,000))
		<u>978,000</u>

Sec. 66. Section 83, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

The superintendent of public instruction shall achieve a reduction of \$~~((15,674,000))~~ 55,060,000 in the total disbursements of state general fund moneys to local school districts for the 1982-1983 ~~((school))~~ state fiscal year for those programs under sections 72 (basic education), 74 (salary and compensation increase), 75 (pupil transportation), 76 (vocational-technical institutes), 77 (food service), 78 (handicapped costs), 80 (block grants), and 81 (institutional education) of ~~(this 1982 act)~~ chapter 50, Laws of 1982 1st ex. sess. This reduction approximates a ~~((0.5%))~~ 1.75% biennial reduction in the state general fund appropriation for disbursement to each local school district. It is the intent that such reductions shall be allocated on the basis of the apportionment schedule as provided in RCW 28A.48.010. The legislature recognizes that local school districts are best prepared to identify their own individual local needs and priorities. Local school districts require maximum flexibility in prioritizing and providing for those programs that best meet their local needs. By December 1, 1982, each local school district shall inform the superintendent of public instruction of those

programs for which entitled disbursements shall be reduced for that district, and the amount of the reductions. After December 1, 1982, for any local school district which fails to comply with this section, the superintendent shall reduce all disbursements as necessary to carry out the purposes of this section. By January 15, 1983, the superintendent of public instruction shall submit a report to the legislature describing the reductions achieved under this section.

Sec. 67. Section 4, chapter 33, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated for the biennium ending June 30, 1983, the sum of ~~((twenty-five))~~ twenty-four thousand dollars, or so much thereof as may be necessary, from the state general fund: PRO-VIDED, That up to an additional ~~((one-hundred))~~ ninety-eight thousand dollars from the state general fund may be expended if each dollar is matched by funds from private sources, to be used by the committee for the purpose of carrying out the provisions of sections 1 through 3 of this act. Upon completion of the study, any residual general fund state funds shall revert to the general fund.

Sec. 68. Section 107, chapter 340, Laws of 1981 as last amended by section 84, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation—State	\$	((370,840,000))
		<u>363,351,000</u>
General Fund Appropriation—Federal	\$	271,000
Total Appropriation	\$	((371,111,000))
		<u>363,622,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$2,608,000 may be spent for the small school adjustment to Whatcom, Olympia Technical, Big Bend, Peninsula, Grays Harbor, Wenatchee Valley, Centralia, Lower Columbia, and Walla Walla Community Colleges. The distribution of such funds shall be based on a percent of formula entitlement for faculty staffing which shall be increased at the rate of one percentage point above the 71.0% base level for each 100 full time equivalent students below the 2,500 full time equivalent student enrollment level, except that no community college shall be funded in excess of 86.0% of formula.

(2) At least \$227,291 shall be expended for the purchase and maintenance of equipment to access the higher education personnel payroll system.

(3) In making reductions in funds, no reductions shall be made affecting tuition waivers for the parenting education program.

(4) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$71,854,988 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

(5) (a) For purposes of the 1983-85 budget development, enrollments which are attributable to ungraded courses, excluding adult basic education, for which operating fees are waived in whole or part shall be reduced by a percentage calculated by dividing the waived operating fees by the total operating fees and multiplying by twenty-three percent.

(b) As used in this subsection (5):

(i) 'Waived operating fees' means the operating fees waived for an enrollment under RCW 28B.15.502(4); and

(ii) 'Total operating fees' means the operating fees which would have been paid for an enrollment if no waiver had been granted.

Sec. 69. Section 108, chapter 340, Laws of 1981 as last amended by section 85, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund Appropriation	\$	((281,551,000))
		<u>275,867,000</u>
Accident Fund Appropriation	\$	1,027,000
Medical Aid Fund Appropriation	\$	1,027,000
University of Washington Building Account Appropriation	\$	48,304,000
Total Appropriation	\$	((331,909,000))
		<u>326,225,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,600,000 is provided solely for family medicine education.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$51,831,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 70. Section 109, chapter 340, Laws of 1981 as last amended by section 86, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation	\$	((169,375,000))
		<u>165,955,000</u>
Washington State University Building Account Appropriation	\$	18,200,000
Total Appropriation	\$	((187,575,000))
		<u>184,155,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$380,000 may be expended for federal matching purposes for the small business development center.

(2) It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$24,315,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 71. Section 110, chapter 340, Laws of 1981 as last amended by section 87, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((53,329,000))
		<u>52,252,000</u>
Eastern Washington University Capital Projects Account Appropriation	\$	2,066,000
Total Appropriation	\$	((55,395,000))
		<u>54,318,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,351,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 72. Section 111, chapter 340, Laws of 1981 as last amended by section 88, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((47,875,000))
		<u>46,908,000</u>
Central Washington University Capital Projects Account Appropriation	\$	1,666,000
Total Appropriation	\$	((49,541,000))
		<u>48,574,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$10,327,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 73. Section 112, chapter 340, Laws of 1981 as last amended by section 89, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((24,742,000))
		<u>24,242,000</u>

The appropriation in this section is subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$5,500,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 74. Section 113, chapter 340, Laws of 1981 as last amended by section 90, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((57,195,000))
		<u>56,040,000</u>
Western Washington University Capital Projects Account Appropriation	\$	3,102,000
Total Appropriation	\$	((60,297,000))
		<u>59,142,000</u>

The appropriations in this section are subject to the following condition or limitation: It is the intent of the legislature that instructional and student services related allotments not be transferred to administrative programs. Therefore, a maximum of \$9,599,000 of the state general fund appropriation may be expended on the primary support (04) and institutional support (08) programs.

Sec. 75. Section 115, chapter 340, Laws of 1981 as last amended by section 92, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

General Fund Appropriation—State	\$	((19,878,000))
		<u>19,464,000</u>
General Fund Appropriation—Federal	\$	3,684,000
Total Appropriation	\$	((23,562,000))
		<u>23,148,000</u>

The appropriations in this section are subject to the following condition or limitation: \$106,000 shall be expended to honor higher education reciprocity agreements with the state of Oregon.

Sec. 76. Section 114, chapter 340, Laws of 1981 as amended by section 93, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMPACT FOR EDUCATION

General Fund Appropriation	\$	((61,000))
		<u>60,000</u>

Sec. 77. Section 116, chapter 340, Laws of 1981 as last amended by section 94, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC BROADCASTING COMMISSION

General Fund Appropriation—State	\$	((124,000))
		<u>122,000</u>
General Fund Appropriation—Federal	\$	8,000
Total Appropriation	\$	((132,000))
		<u>130,000</u>

Sec. 78. Section 118, chapter 340, Laws of 1981 as last amended by section 95, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION FOR VOCATIONAL EDUCATION

General Fund Appropriation—State	\$	((1,682,000))
		<u>1,639,000</u>
General Fund Appropriation—Federal	\$	27,157,000
Total Appropriation	\$	((28,839,000))
		<u>28,796,000</u>

The appropriations in this section are subject to the following condition or limitation: No state funds may be used by the advisory council for vocational education.

Sec. 79. Section 121, chapter 340, Laws of 1981 as last amended by section 97, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund Appropriation—State	\$	((1,191,000))
		<u>1,161,000</u>
General Fund Appropriation—Federal	\$	893,000
Total Appropriation	\$	((2,084,000))
		<u>2,054,000</u>

The appropriations in this section are subject to the following condition or limitation: ~~\$((659,000))~~ 643,000 is provided solely for the cultural enrichment program in the common schools.

Sec. 80. Section 122, chapter 340, Laws of 1981 as last amended by section 98, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((525,000))
		<u>511,000</u>

The appropriation in this section is subject to the following condition or limitation: \$27,000 is provided solely for a state historical monument to recognize the World War II internment of Japanese-Americans at the Western Washington fairgrounds in Puyallup. Funds appropriated for this memorial may be expended to the extent that at least twenty-five percent of the total cost of the project authorized is obtained from federal, local, or private sources.

Sec. 81. Section 123, chapter 340, Laws of 1981 as last amended by section 99, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation	\$	((440,000))
		<u>429,000</u>

Sec. 82. Section 124, chapter 340, Laws of 1981 as last amended by section 100, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((387,000))
		<u>377,000</u>
General Fund—State Capitol Historical Association Museum Account		
Appropriation	\$	53,000
Total Appropriation	\$	((440,000))
		<u>430,000</u>

Sec. 83. Section 37, chapter 67, Laws of 1981 as last amended by section 104, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

To carry out this act, there is appropriated to the office of the chief administrative law judge from the general fund for the fiscal year from July 1, 1981, through June 30, 1982, the sum of one hundred ~~((five))~~ three thousand dollars, or so much thereof as may be necessary.

Sec. 84. Section 123, chapter 136, Laws of 1981 as last amended by section 106, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund ~~\$((365,000))~~ 356,000 to the corrections standards board and \$4,630,000 to the department of corrections as established in this 1981 act. This appropriation shall be subject to the following conditions and limitations:

(1) For the 1981-83 biennium the department of corrections shall be authorized an additional 93 FTE staff years.

(2) These additional FTE staff years shall be in addition to the staffing level authorized in ESSB 3636. There shall be transferred to the department of corrections an amount of general fund appropriation, state

and FTE staff years, the exact amount to be determined by the secretary of social and health services and the secretary of corrections subject to the approval of the director of the office of financial management.

Sec. 85. Section 42, chapter 137, Laws of 1981 as last amended by section 107, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the state general fund to the sentencing guidelines commission for the biennium ending June 30, 1983, the sum of five hundred (~~ninety-eight~~) eighty-six thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Sec. 86. Section 16, chapter 268, Laws of 1981 as last amended by section 109, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

There is hereby appropriated from the general fund to the judicial qualifications commission for the biennium ending June 30, 1983 a sum of \$~~((254,000))~~ 248,000. \$4,000 of this appropriation is contingent upon \$4,000 of the compensation increase moneys provided to the commission under section 14, chapter 340, Laws of 1981, as amended, remaining in reserve status.

Sec. 87. Section 6, chapter 317, Laws of 1981 as last amended by section 110, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund Appropriation—State.....	\$	((11,700,878))
		<u>11,408,000</u>
Motor Vehicle Fund—State Patrol Highway Account Appropriation— State	\$	90,391,815
Highway Safety Fund Appropriation—State	\$	9,000
Total Appropriation	\$	((102,101,693))
		<u>101,808,815</u>

The appropriations contained in this section are subject to the following condition and limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

Sec. 88. Section 8, chapter 317, Laws of 1981 as last amended by section 111, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT—

PROGRAM Z—MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation—State	\$	8,722
General Fund Appropriation—State	\$	((57,424))
		<u>56,000</u>
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropria- tion—State	\$	525,462
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropria- tion—State	\$	441,773
Motor Vehicle Fund Appropriation—State	\$	15,417,283
Total Appropriation	\$	((16,450,664))
		<u>16,449,240</u>

The appropriations contained in this section are provided for executive management, management services, and support costs of the department of transportation. The department of transportation may transfer any portion of the motor vehicle fund appropriations in this section between Programs S and Z.

Sec. 89. Section 11, chapter 317, Laws of 1981 as amended by section 111, chapter 14, Laws of 1981 2nd ex. sess. and by section 112, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is reenacted and amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State.....	\$	((652,456))
		<u>616,000</u>
General Fund Appropriation—Federal	\$	9,839,000
General Fund Appropriation—Local	\$	185,000
(2) For planning and research:		
Motor Vehicle Fund Appropriation—State	\$	5,192,909
Motor Vehicle Fund Appropriation—Federal	\$	6,320,000
Total Public Transportation and Planning Appropriation	\$	((22,189,365))
		<u>22,152,909</u>

The appropriations contained in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

Sec. 90. Section 10, chapter 330, Laws of 1981 as last amended by section 113, chapter 50, Laws of 1982 1st ex. sess. (uncodified) is amended to read as follows:

(1) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the legislative budget committee the sum of ~~((eighty-seven))~~ seventy-seven thousand dollars for the purpose of conducting a study of the judicial information system as provided in section 9 of this act.

(2) There is hereby appropriated from the general fund for the biennium ending June 30, 1983, to the office of the administrator for the courts the sum of seven million ((eight hundred twenty-five)) six hundred twenty-nine thousand dollars for the judicial information system.

NEW SECTION. Sec. 91. In order to ensure that the benefits to the state expected to be derived from the early retirement provisions of chapter 54, Laws of 1982 1st ex. sess. (SSHB No. 124) are in fact generated, no funds may be expended by any state agency for personal service contracts engaging any persons retired from state service under the provisions of that chapter. Exceptions to this section may be granted by written approval from the director of financial management.

This section shall expire on June 30, 1983.

NEW SECTION. Sec. 92. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 93. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On motion of Mr. Nisbet, the following amendments to the amendment were adopted:

On page 18, line 14 of the amendment strike "14,218,000" and insert "13,918,000"

On page 41, line 25 strike "\$300,000" and insert "~~(\$300,000)~~ \$188,000"

The amendment as amended was adopted.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Ms. Brekke yielded to question by Ms. Galloway.

Ms. Galloway: "Representative Brekke, we have a sheet of paper on our desks that refers to the social services cuts. I wonder if you might give some brief explanation of how the cuts in this budget might effect these programs with the expected cuts on the federal level?"

Ms. Brekke: "Representative Galloway, I'd like to point out that the concern I have is with the social service budget cuts that are embodied in this budget bill. The ones in this bill look innocuous enough in section 1, the decision package recommended by the Department of Social and Health Services. My concern is with the expected budget cuts on the federal level. They can be as high as \$55 million. These will be directed cuts. The expected impact upon our system will be \$30 to \$40 million of state funds. That will be effective in October. I certainly hope that we will not be here in October. Therefore, this is the one and only time that we have to deal with the potential effect of both cuts. I have gone back to the priority limiting that Department of Social and Health Services Secretary Gibbs has recommended and has indicated that he will continue this prioritization. On this paper are listed many—not all—of the cuts in section 2, which will, in fact, occur in October. It will be a delayed effect of what is done here tonight. I'll mention a few, but you can read the rest for yourself. Mental health—community mental health—the seriously disturbed clients will be reduced by ten percent—4700 seriously disturbed patients will not receive basic mental health services. The portal program at Northern State [Hospital] will be closed. One hundred thirty chronically disturbed adults who are presently being served will be removed from there. The long-term residential treatment section of the alcohol abuse program will be eliminated. That will impact 1,100 clients and in the DSHS remarks, it indicated that these clients 'do not recover without treatment, will continue to degenerate and eventually die.' The aging and adult services, the senior citizen services, which has three years to go, fifty percent cut. Chore services, the contracting of all these chore services that was instituted about three years ago is now eliminated in this program. 6,700 chore service recipients on the contracted program will be transferred to the individual provider program. The department estimates that 1,500 of these individuals would soon terminate as a consequence of the difficulty in finding and employing providers, which the individuals would have to do. Another one of note that was exempted is the medically indigent deductible which would return from \$500 to \$1500. I hope you'll look at the rest."

Mr. Nisbet spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Chandler yielded to question by Mr. Lundquist.

Mr. Lundquist: "Representative Chandler, is there any situation in this bill that's being passed here that the portal program will be closed?"

Mr. Chandler: "No, Representative Lundquist, there is no stipulation for that or any of the other things. What the previous speaker was referring to was the reprioritization or a list of anticipated actions which would be taken by the secretary of the Department of Social and Health Services. As my colleague, Representative Nisbet, has pointed out, it's a 'what-if' list. There is nothing here that says anything specific about the portal program or any other."

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5021 as amended by the House, and the bill passed the House by the following vote: Yeas, 67; nays, 27; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Dawson, Dickie, Eberle, Ellis, Erak, Fiske, Flanagan, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King J., Kreidler, Leonard, Lewis, Lundquist, Lyon, Martinis, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson G. A., Nickell, Nisbet, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Bond, Brekke, Brown, Burns, Clayton, Cole, Ehlers, Eng, Gallagher, Galloway, Garrett, King R., Lux, Maxie, Nelson D., North, O'Brien, Owen, Padden, Pruitt, Rinehart, Rust, Scott, Sherman, Wang, Warnke.

Not voting: Representatives Becker, Fancher, Teutsch, Williams.

Senate Bill No. 5021 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Nelson (G), the House dispensed with further business under the Call of the House.

On motion of Mr. Nelson (G), the House was adjourned until 11:00 a.m., Thursday, July 1, 1982.

WILLIAM M. POLK, Speaker.

FRANZ J. WIECHERS-GREGORY, Chief Clerk.

SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, July 1, 1982.

The House was called to order at 11:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Houchen, Lyon, Teutsch and Williams, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Todd Meyer and Steve Minnitti. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

July 1, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1246,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

July 1, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1253,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Teutsch and Williams, who were excused.

The Speaker declared the House to be recessed until 8:00 p.m.

EVENING SESSION

The House was called to order at 8:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fancher, Teutsch and Williams, who were excused.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. Nelson (G), the House was adjourned until 10:00 a.m., Friday, July 2, 1982.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk

SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, July 2, 1982.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Barrett, Becker, Bond, Brekke, Eberle, Fancher, Houchen, Lux, Martinis, North, Rosbach, Salatino, Teutsch, Van Dyken, Walk, Wang and Williams. Representatives Barrett, Bond, Fancher, Teutsch and Williams were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Belinda McPherson and John Greengo. Prayer was offered by The Reverend Stanley Workman, Evergreen Christian Reformed Church of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

July 1, 1982

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1251,
SENATE BILL NO. 5030,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

July 1, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 5021, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

July 1, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5021,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1251,
HOUSE BILL NO. 1253,
SENATE BILL NO. 5021.

The Speaker declared the House to be recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Fancher, North, Teutsch and Williams. Representatives Bond, Fancher, Teutsch and Williams were excused.

MESSAGES FROM THE SENATE

July 2, 1982

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1251,
HOUSE BILL NO. 1253,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

July 2, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5032,

and the same is herewith transmitted.

Marilyn Brachtenbach, Secretary.

Mr. Nelson (G) demanded a Call of the House and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Bond, Fancher, North, Teutsch and Williams.

On motion of Mr. Nelson (G), the absent members were excused, and the House proceeded with business under the Call of the House.

INTRODUCTIONS AND FIRST READING

SENATE BILL NO. 5030, by Senators Gould, Hemstad, Bottiger, Lee and Hurley:

Modifying the taxation of low-level radioactive waste disposal.

SENATE BILL NO. 5032, by Senators Scott and McDermott:

Modifying excise taxes.

STANDING COMMITTEE APPOINTMENTS

The Speaker appointed Representative Lyon to Committee on State Government, Committee on Energy and Utilities and Committee on Education.

The Speaker announced Representative Johnson was transferred from Committee on State Government to Committee on Ethics, Law and Justice.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and SENATE BILL NO. 5016 was advanced to second reading and read the second time in full.

SECOND READING

SENATE BILL NO. 5016, by Senators Scott and McDermott:

Delaying inventory tax credit for 1983.

The bill was read the second time.

On motion of Mr. Chandler, the following amendment was adopted:

On page 2, after line 14 insert a new subsection to read as follows:

"(3) If by reason of any change in law, the taxes imposed under this chapter are no longer imposed upon a taxpayer who would otherwise be entitled to all or part of the credit allowed under subsection (1) of this section, such taxpayer may claim the credit allowed by this section against obligations for any taxes payable directly to the department of revenue, except those taxes imposed under chapter 82.14 RCW, during the period July 1, 1983, through June 30, 1984. The department of revenue shall adopt such rules as may be necessary for the prompt allowance of such credits and the efficient administration of this section."

On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5016 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 43; not voting, 5.

Voting yea: Representatives Amen, Armstrong, Barnes, Barr, Becker, Brekke, Chandler, Cole, Dickie, Ehlers, Ellis, Erak, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, Kaiser, Kreidler, Lewis, Lyon, McDonald, McGinnis, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, O'Brien, Prince, Pruitt, Rinehart, Rosbach, Rust, Sherman, Sommers, Struthers, Valle, Vander Stoep, Walk, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barrett, Bender, Berleen, Bickham, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Eberle, Eng, Fiske, Flanagan, Gallagher, Hine, James, King J., King R., Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, Owen, Padden, Patrick, Salatino, Sanders, Schmidt, Scott, Smith, Sprague, Stratton, Taylor, Thompson, Tilly, Van Dyken, Wang, Warnke, Wilson.

Not voting: Representatives Bond, Fancher, North, Teutsch, Williams.

Senate Bill No. 5016 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Nelson (G), all bills passed or to be passed today were ordered immediately transmitted to the Senate.

Representative North appeared at the bar of the House.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and Senate Bill No. 5030 and Senate Bill No. 5032 were placed on second reading.

SENATE BILL NO. 5030, by Senators Gould, Hemstad, Bottiger, Lee and Hurley:

Modifying the taxation of low-level radioactive waste disposal.

The bill was read the second time. On motion of Mr. Nelson (G), the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill, and Ms. Hankins spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5030, and the bill passed the House by the following vote: Yeas, 62; nays, 32; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barr, Becker, Bender, Brekke, Brown, Burns, Chandler, Cole, Eberle, Ehlers, Ellis, Eng, Erak, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Heck, Hine, Houchen, Johnson, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson D., North, O'Brien, Owen, Patrick, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Scott, Sherman, Sommers, Taylor, Thompson, Valle, Van Dyken, Walk, Wang, Warnke, Wilson, Winsley.

Voting nay: Representatives Barnes, Barrett, Berleen, Bickham, Cantu, Chamberlain, Clayton, Dawson, Dickie, Fiske, Hankins, Hastings, Isaacson, James, Leonard, Lewis, Lundquist, Lyon, McGinnis, Nelson G. A., Nickell, Nisbet, Padden, Prince, Schmidt, Smith, Sprague, Stratton, Struthers, Tilly, Vander Stoep, and Mr. Speaker.

Not voting: Representatives Bond, Fancher, Teutsch, Williams.

Senate Bill No. 5030, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 5032, by Senators Scott and McDermott:

Modifying excise taxes.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5032, and the bill passed the House by the following vote: Yeas, 50; nays, 44; not voting, 4.

Voting yea: Representatives Amen, Armstrong, Becker, Brekke, Chandler, Cole, Ehlers, Ellis, Fiske, Galloway, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Houchen, Isaacson, Johnson, Kaiser, King J., Kreidler, Lewis, Lyon, Maxie, McDonald, Mitchell, Monohon, Nelson D., Nelson G. A., Nickell, Nisbet, North, O'Brien, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sommers, Struthers, Thompson, Tilly, Vander Stoep, Walk, Wang, Winsley, and Mr. Speaker.

Voting nay: Representatives Addison, Barnes, Barr, Barrett, Bender, Berleen, Bickham, Brown, Burns, Cantu, Chamberlain, Clayton, Dawson, Dickie, Eberle, Eng, Erak, Flanagan, Gallagher, Garrett, Hine, James, King R., Leonard, Lundquist, Lux, Martinis, McCormick, McGinnis, Owen, Padden, Patrick, Sanders, Schmidt, Scott, Sherman, Smith, Sprague, Stratton, Taylor, Valle, Van Dyken, Warnke, Wilson.

Not voting: Representatives Bond, Fancher, Teutsch, Williams.

Senate Bill No. 5032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

July 2, 1982

To The Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on July 2, 1982, Governor Spellman approved the following House Bill, entitled:

HOUSE BILL NO. 1246: Relating to Shelton correctional institution.

Sincerely,
Marilyn Showalter, Counsel.

MESSAGES FROM THE SENATE

July 2, 1982

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 5016, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

July 2, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5016,
SENATE BILL NO. 5030,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

July 2, 1982

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5033,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 5016,
SENATE BILL NO. 5030.

INTRODUCTIONS AND FIRST READING

HOUSE BILL NO. 1259, by Representatives Mitchell, Greengo, Patrick, Wilson, McDonald, Berleen, Lyon, Cantu, Fiske, Dawson, Sprague and Van Dyken:

AN ACT Relating to replacing the sales and use tax on food products with an increase in rates for excise taxes specified in section 1 of this act; amending section 31, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.02.—; amending section 82.44.020, chapter 15, Laws of 1961 as last amended by section 26, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.44.020; amending section 48, chapter 35, Laws of 1982 1st ex. sess. (uncodified); creating a new section; and declaring an emergency.

To Committee on Rules.

HOUSE BILL NO. 1260, by Representatives McDonald and Ellis:

AN ACT Relating to higher education; adding a new section to chapter 28B.15 RCW; providing an expiration date; and declaring an emergency.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and House Bill No. 1260 was advanced to second reading and read the second time in full.

HOUSE BILL NO. 1260, by Representatives McDonald and Ellis:

Authorizing higher education tuition surcharges.

The bill was read the second time. On motion of Mr. Hastings, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Mr. McDonald spoke in favor of passage of the bill, and Representatives Rinehart and Nelson (D) spoke against it.

Mr. McDonald spoke again in favor of the bill, and Ms. Rinehart again opposed it.

Representatives Ehlers, Heck, King (R) and Lux spoke against passage of the bill, and Representatives Nelson (G), Sommers and Lewis spoke in favor of it.

Mr. King (R) again opposed passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1260, and the bill passed the House by the following vote: Yeas, 50; nays, 44; not voting, 4.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barrett, Berleen, Bickham, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Garson, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, Leonard, Lewis, Lundquist, Lyon, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Patrick, Rosbach, Sanders, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Barr, Becker, Bender, Brekke, Brown, Burns, Cantu, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Granlund, Grimm, Heck, Hine, Kaiser, King J., King R., Kreidler, Lux, Martinis, Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Padden, Prince, Pruitt, Rinehart, Rust, Salatino, Schmidt, Scott, Sherman, Thompson, Valle, Walk, Wang, Warnke.

Not voting: Representatives Bond, Fancher, Teutsch, Williams.

House Bill No. 1260, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SENATE

July 2, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5032,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 5032.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 5033, by Senators Lee and Craswell:

Modifying allotment procedures.

MOTION

On motion of Mr. Nelson (G), the rules were suspended, and Senate Bill No. 5033 was advanced to second reading and read the second time in full.

On motion of Mr. Hastings, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fiske, Chandler, Nisbet and Owen spoke in favor of passage of the bill, and Representatives Ehlers, King (R) and Grimm spoke against it.

Representative Hastings demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5033, and the bill passed the House by the following vote: Yeas, 56; nays, 37; not voting, 5.

Voting yea: Representatives Addison, Amen, Armstrong, Barnes, Barr, Barrett, Berleen, Bickham, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Fiske, Flanagan, Greengo, Hankins, Hastings, Houchen, Isaacson, James, Johnson, King J., Leonard, Lewis, Lundquist, Lyon, McDonald, McGinnis, Mitchell, Nelson G. A., Nickell, Nisbet, Owen, Patrick, Prince, Rosbach, Salatino, Sanders, Schmidt, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Tilly, Van Dyken, Vander Stoep, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Bender, Brekke, Brown, Burns, Cole, Ehlers, Eng, Erak, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Heck, Hine, Kaiser, King R., Kreidler, Lux, Martinis,

Maxie, McCormick, Monohon, Nelson D., North, O'Brien, Padden, Pruitt, Rinehart, Rust, Scott, Sherman, Thompson, Valle, Walk, Wang.

Not voting: Representatives Becker, Bond, Fancher, Teutsch, Williams.

Senate Bill No. 5033, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Mr. Taylor: "Since this is the last session for Representative Amen, I would like to make a few remarks. We've talked about working together; we've talked about understanding, and we've even talked about kindness and compassion. I think tonight, as Speaker Pro Tem Otto Amen observes his last sine die, I would like to pay tribute to him. I had my office next door to him when I was a freshman, albeit a rather old freshman, but I learned so much. It took Otto awhile to teach me some things, but I think all of us tonight will look with real regret upon the leaving of a man who has been regarded as one of the most respected legislators and nicest people in the history of the state of Washington who has ever sat in this body. I'd like you to join me in a standing ovation for Otto Amen."

Mr. O'Brien: "Mr. Speaker and ladies and gentlemen of the House, I've known Otto Amen for a good number of years, too, and I can tell you that I enjoyed working with Representative Amen, your Speaker Pro Tem. He's always been a gentleman of the highest caliber. He was always fair and impartial. You could talk to Otto, and he would understand your feelings. I think this is a remarkable trait for anyone—his complete understanding of human nature. I know that since we've been in the minority that it was always very pleasant to talk to someone on your side who would look to our problems and give us a friendly ear. I know the State Legislature is going to miss Representative Amen because he made a great contribution here. I certainly wish you well, Otto, in the years to come because you've been a real gentleman and friend to me."

MESSAGE FROM THE SENATE

July 2, 1982

Mr. Speaker:

The President has signed:

SENATE BILL NO. 5033,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 5033.

MOTION

On motion of Mr. Nelson (G), the House advanced to the eighth order of business.

RESOLUTION

HOUSE RESOLUTION NO. 82-186, by Representative Nelson (G):

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House is ready to adjourn sine die.

On motion of Mr. Nelson (G), the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with House Resolution No. 82-186, the Speaker appointed Representatives Smith, Rosbach and Warnke to notify the Senate that the House was ready to adjourn sine die.

MOTION

On motion of Mr. Nelson (G), the House dispensed with further business under the Call of the House.

MESSAGE FROM THE SENATE

July 2, 1982

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 152,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 152, by Senators Hayner, Jones, Bottiger and Fleming:

Adjournment sine die.

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution No. 152 was advanced to second reading and read the second time in full.

On motion of Mr. Nelson (G), the rules were suspended, and Senate Concurrent Resolution No. 152 was advanced to third reading and adopted.

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with Senate Concurrent Resolution No. 152, the Speaker appointed Representatives Patrick, Berleen and Ehlers to notify the Governor that the Legislature was about to adjourn sine die.

APPOINTMENT OF INTERIM COMMITTEE

The Speaker appointed Representatives Armstrong and Ellis to the Law Revision Commission.

POINT OF PERSONAL PRIVILEGE

Mr. Nelson (G): "Mr. Speaker, I would like to take this opportunity to compliment you and to thank you for a lot of long hours on behalf of this body. I'm sure that I say so on behalf of members of the House of Representatives, because, I think, we all realize the amount of effort you have had to place into the job of Speaker of the House of Representatives. You have set a tremendous example for those who may follow in your footsteps in having set some fantastic goals for a legislature such as this one and having accomplished so many of them in a style of leadership that, I think, a lot of us would like to have as part of our repertoire in seeing things accomplished in these Chambers. I think we are especially happy with the fact, that during the course of this Speaker's term, he has been quick of wit; has always had a smile on his face, which broke a lot of tensions in these chambers in many cases in negotiating processes. I think that is certainly a characteristic that we're not going to forget. We're thankful, also, that you've had the opportunity to extend to this body the effort for obtaining a great number of things that perhaps we would have never had the opportunity to pursue—the changes in many of the administrative activities and the new voting board that will benefit future legislatures. Perhaps, we don't recognize how valuable that is now, but once we get started, I think everybody will realize that you were the one who was serving at the time we instituted some streamlined processes.

"In saying my final thank you to you, we hope you enjoy your career in which you will now be able to participate one-hundred percent. I'm sure your family will be happy to share more of your time. Thank you very much."

COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Bottiger, Jones and Woody, appeared at the bar of the House and reported that the Senate was ready to adjourn sine die.

The report was received and the committee returned to the Senate.

MESSAGE FROM THE SENATE

July 2, 1982

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 152,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE CONCURRENT RESOLUTION NO. 152.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported they had notified the Senate that the House was ready to adjourn sine die.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was ready to adjourn sine die.

The report was received and the committee was discharged.

MOTIONS

On motion of Mr. Nelson (G), reading of the Journal of the Seventh Day of the 1982 Second Special Session of the 47th Legislature was dispensed with and it was ordered to stand approved.

On motion of Mr. Nelson (G), all bills remaining in the House were indefinitely postponed.

MOTION

On motion of Mr. Nelson (G), the 1982 Second Special Session of the 47th Legislature was adjourned sine die.

WILLIAM M. POLK, Speaker

FRANZ J. WIECHERS-GREGORY, Chief Clerk



HOUSE LEGISLATIVE LEADERS

1982

REPUBLICAN LEADERSHIP

Speaker	William M. Polk
Speaker Pro Tempore	Otto Amen
Majority Leader	Gary Nelson
Majority Caucus Chairman	Earl F. Tilly
Majority Whip	Gene Struthers
Assistant Majority Leader	Helen Fancher
Assistant Majority Leader	Richard "Doc" Hastings
Assistant Majority Whip	Michael R. McGinnis
Assistant Majority Whip	Roger Van Dyken

DEMOCRATIC LEADERSHIP

Minority Leader	Wayne Ehlers
Democratic Caucus Chairman	Daniel K. Grimm
Minority Floor Leader	Dennis Heck
Parliamentary Leader	John L. O'Brien
Democratic Caucus Vice Chairperson	Marion K. Sherman
Democratic Caucus Secretary	Geraldine McCormick
Democratic Organization Leader	Dick Nelson
Minority Whip	Wendell Brown
Assistant Minority Whip	John Erak

APPENDIX
HOUSE ROSTER - 1982
FORTY-SEVENTH SESSION

NAME OF MEMBER	Mailing Address	Age	Birthplace
Addison, Bruce	4509 SW Holgate Seattle 98116	29	Oregon
Amen, Otto	Rt. 1, Box 45 Ritzville 99169	69	Washington
Armstrong, Seth	1715 Bigelow N. Seattle 98109	40	California
Barnes, Richard O.	18118 6th Ave. SW Seattle 98166	60	Iowa
Barr, Scott	Rt. 1, Box 130 Edwall 99008	65	Washington
Barrett, Richard	N.9819 Nez Perce Ct. Spokane 99208	51	Washington
Becker, Mary Kay	2406 Williams Bellingham 98225	35	Washington
Bender, Rick S.	2019 181st St. SE Bothell 98011	32	Alaska
Berleen, Jeanette	1616 Weston Bldg. Seattle 98168	29	N. Dakota
Bickham, Noel	25 Crest Circle Yakima 98908	63	Maryland
Bond, R. M. "Dick"	S. 4226 Crestline Spokane 99203	58	Washington
Brekke, Joanne J.	6525 Sycamore NW Seattle 98117	47	Washington
Brown, Wendell B.	5615 S. Ferdinand Tacoma 98409	36	Washington
Burns, Bill	2511 W. Montlake Pl.E. Seattle 98112	54	Arkansas
Cantu, Emilio	4416 138th Ave. SE Bellevue 98006	55	Texas
Chamberlain, Robert L.	Rt. 5, Box 10 White Salmon 98672	52	New York
Chandler, Rod	6522 208th Ave. NE Redmond 98052	39	Oregon

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Associate Realtor	34 R	King, pt.	1979 thru 1981 2 Ex.
Farmer, Pharmacist	9 R	Adams, pt., Asotin, Columbia, Franklin, pt., Garfield, Whitman	1967 thru 1981 2 Ex.
Attorney	36 D	King, pt.	1981 2 Ex.
Systems Analyst	33 R	King, pt.	1974 Ex.- thru 1981 2 Ex.
Grain & Cattle Producer	7 R	Lincoln, Pend Oreille, Stevens, Ferry, Okanogan, pt., Spokane, pt.	1977 thru 1981 2 Ex.
Trade Assoc. Executive	5 R	Spokane, pt.	1981-81 2 Ex.
Law Student	42 D	Whatcom, pt.	1975 thru 1981 2 Ex.
Public Relations: Insurance Co.	1 D	King, pt Snohomish, pt.	1973 thru 1981 2 Ex.
Budget Analyst	34 R	King, pt.	1981-81 2 Ex.
Retired-Ins. Retired-Army	14 R	Yakima, pt.	1981-81 2 Ex.
Gas Company President	6 R	Spokane, pt.	1975 thru 1981 2 Ex.
Homemaker	32 D	King, pt.	1977 Ex.- thru 1981 2 Ex.
Insur. Agency Owner/Operator	29 D	Pierce, pt.	1979 thru 1981 2 Ex.
State Representative	43 D	King, pt.	1977 thru 1981 2 Ex.
Engr. Design Manager	41 R	King, pt.	1981-81 2 Ex.
Forester	17 R	Klickitat, Skamania, Clark, pt.	1981-81 Ex.
Chandler- Corcoran Communications	45 R	King, pt.	1975 thru 1981 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Clayton, Harold R.	P.O. Box 351 Toppenish 98948	61	Idaho
Cole, Grace	3026 NE 163rd Seattle 98155	55	Washington
Dawson, Dan	P.O. Box 280 Gig Harbor 98335	49	Washington
Dickie Lyle J	Rt.1, Box 1365A Grandview 98930	58	Oregon
Eberle, Bob	Rt. 2, Box 206 Vashon 98070	47	Missouri
Ehlers, Wayne	14301 S. Yakima Parkland 98444	43	Washington
Ellis, William H.	1111 3rd Ave. Bldg. Seattle 98101	49	Missouri
Eng, John	P.O. Box 20399 Seattle 98102	39	Hong Kong
Erak, John	617 West 3rd St. Aberdeen 98520	49	Washington
Fancher, Helen	1340 Cape LaBelle Rd. Tonasket 98855	50	Washington
Fiske, Pat	P.O. Box 336 Mt. Vernon 98273	36	Ohio
Flanagan, S.E. "Sid"	Route 2 Box 989 Rd S NW Quincy 98848	72	Washington
Gallagher, P.J. "Jim"	125 S. 72nd Tacoma 98408	66	Washington
Galloway, Shirley A	1602 N. Divine Rd. Vancouver 98661	47	Arkansas
Garrett, Avery	602 SW Langston Rd. Renton 98055	65	Georgia
Garson, Jr. W.H. "Bill"	P.O. Box 596 Tenino 98589	40	Pennsylvania
Granlund, Barbara	3777 Pine Tree Dr. Port Orchard 98366	53	Nebraska
Greengo, Irv	3203 NE 88th Seattle 98115	56	Iowa
Grimm, Dan	904-1/2 7th Ave. SW Puyallup 98371	32	Washington
Gruger, Audrey	3727 NE 193rd Seattle 98155	51	N. Dakota

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Farmer, Owner Clayton Grain	15 R	Benton, pt. Yakima, pt	1977 thru 1981 2 Ex.
Homemaker	1 D	King, pt., Snohomish, pt	App'd. 1/1/82
Tree Farmer	26 R	Kitsap, pt., Pierce, pt.	1979 thru 1981 2 Ex.
Apple Rancher	15 R	Benton, pt. Yakima, pt	1/28/81- 1981 2 Ex.
Engineer & Training Spec.	30 R	Pierce, pt., King, pt	1963-63 Ex. 1979-81 2 Ex.
Librarian	2 D	Pierce, pt., Thurston, pt	1973 thru 1981 2 Ex.
Attorney	46 R	King, pt	12/21/80- 1981 2 Ex.
Partner, Engco Management Co.	43 D	King, pt	1973 thru 1981 2 Ex.
Educator	19B D	Pacific, Grays Harbor, pt., Wahkiakum, pt	1977 thru 1981 2 Ex.
Cattle Rancher Bookkeeper	7 R	Ferry, Stevens, Pend Oreille, Lincoln, Spokane, pt., Okanogan, pt	1977 thru 1981 2 Ex.
Office Supply Business	40 R	San Juan, Skagit, pt., Whatcom, pt	1981-81 2 Ex.
Farmer, Cattleman	13 R	Adams, pt., Grant, pt., Kittitas, pt., Yakima, pt	1961 thru 1981 2 Ex.
Retired	29 D	Pierce, pt	1961 thru 1981 2 Ex.
Homemaker	49 D	Clark, pt	1979 thru 1981 2 Ex.
Boeing Facilities	11 D	King, pt.,	1959-69 Ex. 1979-81 2 Ex.
Corporate Executive	22 R	Thurston, pt	1981-81 2 Ex.
Household Executive	26 D	Kitsap, pt., Pierce, pt	1979 thru 1981 2 Ex.
Design Engineer	46 R	King, pt	1975 thru 1981 2 Ex.
Self-employed Housing Indus.	25 D	Pierce, pt	1977 thru 1981 2 Ex.
Homemaker, Citizen Volun.	1 D	King, pt., Snohomish, pt	1977 thru Res. 1/10/82

NAME OF MEMBER	Mailing Address	Age	Birthplace
Hankins, Shirley	2120 Duportail #8 Richland 99352	50	Kansas
Hastings, Richard "Doc"	5505 W. Sylvester Pasco 99301	40	Washington
Heck, Dennis L	707 NE 118th Vancouver 98664	29	Washington
Hine, Lorraine	1834 S. 229th Des Moines 98188	51	S. Dakota
Houchen, Joan	471 E. N. Camano Dr. Camano Isl. 98292	51	Minnesota
Isaacson, Ray	2106 Lee Blvd. Richland 99353	53	Arizona
James, Harry	211 Highway 3 Poulsbo 98370	50	Washington
Johnson, Stanley C	7302 66th Ave. W. Tacoma 98467	51	Minnesota
Kaiser, Duane L	4802 180th SE Tacoma 98446	61	Wyoming
King, Joseph	P.O. Box 5375 Vancouver 98668	36	Texas
King, Richard A	309 77th Place SW Everett 98203	47	Washington
Kreidler, Myron B	129 San Mar Dr. Olympia 98506	38	Washington
Leonard, Margaret J	1117 E. Mission Spokane 99202	62	Washington
Lewis, Jim	8103 Poplarview Yakima 98908	38	California
Lundquist, Homer	327 Fairhaven Burlington 98233	60	Washington
Lux, Eugene V	5537 S. 119th Seattle 98178	55	Nebraska
Lyon, Jim	7723 10th Ave. NW Seattle 98117	29	Washington
Martinis, John	212 Skyline Dr. Everett 98201	51	Washington
Maxie, Peggy Joan	1441 Madrona Dr. Seattle 98122	45	Texas
McCormick, Geraldine	W. 1829 Northridge Ct. Spokane 99208		Washington
McDonald, Dan	4650 92nd NE Bellevue 98004	37	Washington

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Dosimetry Specialist	8 R		Benton, pt	1981-81 2 Ex.
Businessman Inst./Janitorial Supplies	16 R		Benton, pt., Franklin, pt., Walla Walla, pt	1979 thru 1981 2 Ex.
Public Relations	17 D		Skamania, Klickitat, Clark, pt	1977 thru 1981 2 Ex.
State Representative	33 D		King, pt	1981-81 2 Ex.
Homemaker	10 R		Island, Skagit, pt. Snohomish, pt	1979 thru 1981 2 Ex.
Chief Scientist Hanford	8 R		Benton, pt	1979 thru 1981 2 Ex.
Pres./Mgr. James Lumber	23 R		Kitsap, pt	1981-81 2 Ex.
Pres./Owner Gerrish, Inc.	28 R		Pierce, pt	1981-81 2 Ex.
Christmas Tree Farmer	2 D		Pierce, pt. Thurston, pt	6/22/81 thru 1981 2 Ex.
Owner Ins. Agency	49 D		Clark, pt	1981-81 2 Ex.
College Teacher	38 D		Snohomish, pt	1965 thru 1981 2 Ex.
Optometrist	22 D		Thurston, pt	1977 thru 1981 2 Ex.
Tax Consultant	3 R		Spokane, pt	1981-81 2 Ex.
Director, Comm. Relations	14 R		Yakima, pt	1981-81 2 Ex.
Realtor	40 R		San Juan, Skagit, pt., Whatcom, pt	1981-81 2 Ex.
Building Contractor	11 D		King, pt	1975 thru 1981 2 Ex.
Minister	1 R		King, pt Snohomish, pt	App'd. 6/21/82
Retired	38 D		Snohomish, pt	1969 thru 1981 2 Ex.
Self-employed, Pub. Rel./Sales	37 D		King, pt	1971 thru 1981 2 Ex.
Homemaker	5 D		Spokane, pt	1969 thru 1981 2 Ex.
Mechanical Eng/ Economist	48 R		King, pt	1979 thru 1981 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
McGinnis, Michael R.	S. 2206 Crestline Spokane 99203	34	Washington
Mitchell, James B.	1015 Stich Rd. Lake Stevens 98258	57	Washington
Monohon, Carol.	Rt 1, Box 136 Raymond 98577	36	Washington
Nelson, Gary A.	9710 Wharf St. Edmonds 98020	45	Washington
Nelson, R.P. "Dick"	3612 Whitman N. Seattle 98103	45	Washington
Nickell, C.R. "Dick"	1200 Central Ave. Wenatchee 98801	62	Washington
Nisbet, Andrew	645 D Kitchen Dick Lane Rd. Sequim 98382	60	California
North, Frances	Box 441 North Bend 98045	62	Washington
O'Brien, John L.	1305 Joseph Vance Bldg. Seattle 98101	70	Washington
Owen, Brad	P.O. Box 584 Shelton 98584	31	Washington
Padden, Mike	E 13021 9th Ave.. Spokane 99216	35	Oregon
Patrick, Michael E	13232 SE 192nd. Renton 98055	41	Washington
Polk, William M	7220 92nd Ave. SE Mercer Isl. 98040	46	Texas
Prince, Eugene	P. O. Box 69 Thornton 99176	51	Washington
Pruitt, Paul	7537 31st Ave. SW Seattle 98126	59	Nebraska
Rinehart, Nita	4515 51st Ave. NE Seattle 98105	41	Texas
Rosbach, Wilma	454 N. Market Blvd. Chehalis 98352	60	N. Dakota
Rust, Nancy	18747 Ridgefield NW Seattle 98177	53	Iowa
Salatino, James E	5002 La Hal Da Ave. NE Tacoma 98422	32	Washington

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Wholesale Paper Co.	6 R		Spokane, pt.	1979 thru 1981 2 Ex.
Pharmacist	39A R		Snohomish, pt.	1979 thru 1981 2 Ex.
Homemaker	19B D		Pacific, Grays Harbor, pt. Wahkiakum, pt.	Sen.-1977 Ex. House-1977, 1979-81 2 Ex.
Staff Mgr. Priv. Utility	21 R		Snohomish, pt.	1973 thru 1981 2 Ex.
Energy Consultant	32 D		King, pt.	1977 thru 1981 2 Ex.
Retired Sheriff	12 R		Chelan, Douglas, Grant, pt., Kittitas, pt., Okanogan, pt.	1/27/81- 1981 2 Ex.
Retired Army Officer	24 R		Clallam, Jefferson, Grays Harbor, pt.	1979 thru 1981 2 Ex.
Homemaker	45 D		King, pt.	1973 thru 1981 2 Ex.
CPA	37 D		King, pt.	1941-1945 1949-1981 2 Ex.
Grocery Store Owner	35 D		Mason, Grays Harbor, pt., Kitsap, pt., Thurston, pt.	1976 2nd Ex. thru 1981 2 Ex.
Attorney	4 R		Spokane, pt.,	1981-81 2 Ex.
Seattle Police Officer	47 R		King, pt.	1981-81 2 Ex.
Architect	41 R		King, pt.	1971 thru 1981 2 Ex.
Farmer	9 R		Adams, pt., Asotin, Columbia, Franklin, pt., Garfield, Whitman.	1981-81 2 Ex.
Minister	34 D		King, pt.	1977 thru 1981 2 Ex.
Homemaker Civic Volntr.	46 D		King, pt.	11/79 thru 1981 2 Ex.
Retail Merchant	20 R		Lewis, Thurston, pt.	1979 thru 1981 2 Ex.
State Representative	44 D		King, pt. Snohomish, pt.	1981-81 2 Ex.
Teacher	27 D		Pierce, pt.	1977 thru 1981 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Sanders, Paul	2680 169th SE Bellevue 98008	54	Maine
Schmidt Karen	10805 Bill Pt View Bainbridge Is.	36	California
Scott, Gary H	12913 307th SE Sultan 98294	39	Washington
Sherman, Marion Kyle	24629 SE 200th Maple Valley 98038	56	Washington
Smith, C. P.	Rt. 2, 875 I NW Ephrata 98823	65	Nebraska
Sommers, Helen	2516 14th W. Seattle 98119	49	New Jersey
Sprague, Walt	420 Legis. Bldg. Olympia 98504	63	Washington
Stratton, Lois J.	1724 W. Mansfield Spokane 99205	55	Washington
Struthers, Gene	601 Village Way 50 Walla Walla 99362	57	Washington
Taylor, Ren	N. 4710 Ella Rd. Spokane 99206	57	Washington
Teutsch, Delores E	7334 Champagne Pt. Kirkland 98033	46	Washington
Thompson, Alan	191 Nob Lane Kelso 98626	54	Iowa
Tilly, Earl F	1509 Jefferson Wenatchee 98801	47	Oregon
Tupper, Steve	13437 Greenwood N 107 Seattle 98177	37	Illinois
Valle, Georgette	1434 SW 137th Seattle 98166	57	Minnesota
Vander Stoep, J.	727 SW 16th St. Chehalis 98532	24	Washington
Van Dyken, Roger	1251 Garden Circle Lynden 98264	36	California
Walk, George W	11607 98th Ave. E. Puyallup 98371	32	Washington
Wang, Art	2402 N. Madison Tacoma 98406	32	Massachusetts
Warnke, Frank J	29457 51st S. Auburn 98002	48	Montana

Occupation	Dis- Poli- trict tics	County	Previous Sessions Served
Airplane Prog. Manager	48 R	King, pt.	1976 2nd Ex. thru 1981 2 Ex.
Travel Agcy. Owner	23 R	Kitsap, pt.	1981-81 2 Ex.
Journeyman Lineman	39B D	Snohomish, pt.	1979 thru 1981 2 Ex.
Writer	47 D	King, pt.	1975 thru 1981 2 Ex.
Farmer/ Dairyman	13 R	Adams, pt., Kittitas, pt., Grant, pt., Yakima, pt.	1979 thru 1981 2 Ex.
Economist	36 D	King, pt.	1973 thru 1981 2 Ex.
Landscape Contractor	21 R	Snohomish, pt.	1979 thru 1981 2 Ex.
Retired	3 D	Spokane, pt.	1980 thru 1981 2 Ex.
Retired Busines Farming Interest	16 R	Benton, pt. Walla Walla, pt. Franklin, pt.	1977 thru 1981 2 Ex.
Adjunct Prof. Gonzaga Univ.	4 R	Spokane, pt.	1979 thru 1981 2 Ex.
Comm. Wrkr/ Home Coordin.	45 R	King, pt.	1979 thru 1981 2 Ex.
Newspaper Publisher	18 D	Cowlitz, pt., Clark, pt.	1965 thru 1981 2 Ex.
Mgr/Tilly Equipment	12 R	Chelan, Douglas, Grant, pt., Kittitas, pt., Okanogan, pt.	1973 thru 1981 2 Ex.
Public Rel. Acct. Mgr.	44 R	Snohomish, pt.	1979-82 Ex. Resigned 4/82
Occupational Therapy	34 D	King, pt.	1965-65 Ex. 1973-81 2 Ex.
Research Director	20 R	Lewis, Thurston, pt.	1981-81 2 Ex.
Farmer/Organi- zation Mgr.	42 R	Whatcom, pt.	1979 thru 1981 2 Ex.
Teacher	25 D	Pierce, pt.	1977 thru 1981 2 Ex.
Law Student	27 D	Pierce, pt.	1981-81 2 Ex.
Exec. Dir. Pub. School Emp.	31 D	King, pt. Pierce, pt.	1965-1965 ex. 1973-81 2 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace
Williams, Bob	111 Victoria St. Longview 98632	39	Pennsylvania
Wilson, Simeon	P.O. Box 145 Marysville 98270	54	Oregon
Winsley, Shirley J	539 Buena Vista Ave. Fircrest 98466	47	Minnesota

Name of Officer	Title	Mailing Address	County
Chiechi, Vito T	Chief Clerk	2055 Beverly Bch Olympia 98502	Thurston
Temir, George	Sergeant at Arms	18021 70th Pl.W Edmonds 98020	Snohomish
Wiechers-Gregory, Franz J	Chief Clerk	17605 NE 33rd Pl. Redmond 98052	King

Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Financial Analyst	19A	R	Wahkiakum, pt., Cowlitz, pt.	1979 thru 1981 2 Ex.
Newspaper Publisher	10	R	Island, Skagit, pt., Snohomish, pt.	1973 thru 1981 2 Ex.
Homemaker	28	R	Pierce, pt.	1974 3rd Ex. 1977-81 2 Ex.

Birthplace	Age	Occupation	Previous Sessions
Washington	55	Chief Clerk	1979-82 Resigned 4/6/82
China	46	Adv./Pub. Rel. Consultant	1981-82 Ex.
Germany	36	Chief Clerk	Elected 4/10/82

HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE SHOWING THE ACTION BY THE GOVERNOR THEREON

Forty-Seventh Legislature
1981 Second Special Session

House No.	Relating to:	Chapter No.	Effective Date
S	485	Poll control tax credit elim	9 E2 12/21/81
2S	557	Med. ass't. assets transfer	PV 3 E2 12/1/81
2S	756	Pub. ass't. income determin	10 E2 12/21/81
S	760	Nursing homes; prov. modified	11 E2 12/21/81
S	766	Unclaimed property	1 E2 11/25/81
S	773	Public funds; management	4 E2 12/1/81
S	774	Jail standards	12 E2 12/21/81
	775	Redist. boundary clarified	5 E2 12/3/81
	780	Trade Fair fund; state	2 E2 3/3/82
S	782	Comm. college finan. emergency	13 E2 12/21/81
2S	788	Sales & use taxes; temp. increase	8 E2 12/4/81
S	811	Appropriation reductions	PV 14 E2 12/21/81

1982 Regular Session
1982 First and Second Special Sessions

S	15	Controlled substances—property	171 7/1/82
	22	Explosives/sales to minors	111 6/10/82
S	40	Public disclosure reporting	60 3/26/82
	46	Shellfish pots protection	14 6/10/82
S	58	Code filing, local gov't	PV 226 7/1/82
S	70	Fish restoration projects	26 10/1/82
2S	124	Public empl/early retirement	PV 54 E1 4/20/82
	131	Public lands/min. value require	27 6/10/82
S	135	Trees/unauthorized destruction	28 6/10/82
S	174	Podiatrists licensing	21 6/10/82
3S	179	Child abuse, neglect council	4 6/10/82
	183	Centennial commission	90 6/10/82
S	221	Solid waste disposal dist	175 6/10/82
S	259	Recycled paper/state use	61 6/10/82
S	268	Motor veh./license renewal/unpaid fines	14 E1 7/1/84
	286	Displaced homemaker program	15 E1 7/10/82
	289	Police dogs/handler immunity	22 6/10/82
S	313	Business inventories tax	174 6/10/82
	330	Plats, near airports, notice	23 6/10/82
	357	Public records, preservation	36 6/10/82
	375	Automotive repairs regulated	62 6/10/82
2S	378	Cosmetology school licensure	PV 225 6/10/82
	381	Criminally insane/release	112 6/10/82
	385	Regulatory fairness act	6 6/10/82
	401	Direct student service program	46 6/10/82
	410	County alcohol, drug program	193 6/10/82
S	419	Reforestation/notice obligation	173 7/1/82
S	436	Autioneer's licensing act/commission	205 6/10/82
	442	Engineers & land surveyors	37 6/10/82
S	448	Pull-tab beverage containers	113 7/1/83
S	449	Water rights determination	15 3/8/82

HOUSE BILLS PASSED BY BOTH HOUSES

1531

House No.	Relating to:	Chapter No.	Effective Date
S 452	Urban arterial board members	209	6/10/82
454	Workers' comp. voc. rehab	63	*1/1/83
	*Section 4		3/26/82
457	Common carrier requirements	83	3/27/82
S 462	School property defacement	38	6/10/82
S 476	Library records	64	6/10/82
500	Statutory references construction	16	6/10/82
554	Municipal utility financing	24	6/10/82
S 571	Beer & wine/alcohol content	39	6/10/82
572	Voting devices; Secretary of State	40	3/22/82
S 593	Improper gov't. acts-disclosure	208	6/10/82
600	Criminal law changes	PV 47 E1	*7/10/82
	*Sections 29 & 30		4/20/82
621	Cruelty to animals	114	6/10/82
623	Vets special license plates	115	3/31/82
S 626	Pornography, moral nuisance	184	4/1/82
2S 658	State facility energy conserv	48	6/10/82
S 663	Init/ref. petition requirements	116	6/10/82
S 696	Municipal pension system	166	7/1/82
720	Human remains/donees	9	6/10/82
728	Appraisals; definition	117	6/10/82
736	SEIB multiple carriers	34 E1	7/10/82
745	Threats, governor, successor	185	4/1/82
S 751	Justices of peace, part time	29	6/10/82
752	Motor freight carriers; taxes	169	6/10/82
757	Certificate of need program	119	3/31/82
S 762	Boards/commissions/councils	163	6/30/82
S 764	Property tax listing & payment	29 E1	4/8/82
765	Excise tax registration fee	4 E1	7/10/82
768	Parole/probation services	207	6/10/82
S 778	Regulation of professions	227	*4/3/82
	*Sections 5 & 6		6/30/83
2S 784	Higher ed institutions	37 E1	*6/1/82
	*Sections 13 & 14		4/20/82
S 787	Congressional redistricting	2	2/17/82
795	L&I user fees/appropriation	38 E1	4/20/82
796	Apprenticeship provisions	39 E1	4/20/82
S 808	Medium security correction center	23 E1	4/5/82
S 810	GA dept. facilities authority	41	*7/1/82
	*Section 2		7/1/83
822	Secured transactions; UCC	186	6/30/82
S 823	Local improvement assessment deeds	91	6/10/82
S 824	Dental health care insurance benefits	168	6/10/82
826	Law revision commission	PV 183	6/10/82
2S 828	Crime victims compensation	8 E1	*3/27/82
	*Sections 2 - 6		1/1/83
829	Local public officials	Vetoed	
832	Energy conserv., irrigat. dist	42	3/22/82
S 833	Savings & loan associations	3	2/25/82
S 834	Game law violation penalties	31	6/10/82
S 837	Productivity board/incentive pay	167	6/10/82
S 840	Sales tax exempt. permit fee	5 E1	7/10/82
844	Collection agency/public debts	65	6/10/82
847	Operating agencies, interest	1	1/21/82
S 848	Child welfare services	118	6/10/82
S 849	School dist.,formation/consol	191	*6/10/82
	*Sections 3 & 4		9/1/82

House No.	Relating to:	Chapter No.	Effective Date
	851 Developmentally disabled	PV 224	6/10/82
S	852 Nursing homes	120	6/10/82
	854 Gas tax; omit from sale price	6 E1	3/27/82
S	855 Mun. corp. audit expenses	206	*6/10/82
	*Section 2		7/1/83
	859 ECPA permit approval	179	6/10/82
	864 Court congestion task force	187	4/1/82
S	868 Federal forest funds/distrib	126	7/1/83
S	871 Funeral directors/contracts	66	*9/1/82
	*Sections 20-22		3/26/82
S	874 Criminal offender sentencing	192	4/1/82
S	875 State agencies/sunset review	PV 223	6/10/82
S	878 Master business license system	182	4/1/82
	883 Hazardous material incidents	172	4/1/82
	884 Correcting double amendments	10	3/4/82
S	887 Civil act./mandatory arbitr.	188	6/10/82
S	888 Ballot formats	121	6/10/82
S	891 Medicare suppl. ins. standards	PV 200	4/3/82
	894 Razor clam program funds	178	4/1/82
	896 Snowmobile regulations	17	6/10/82
	897 Arbitration; court jurisdic	122	6/10/82
S	902 Insurance revisions	181	*6/10/82
	*Section 15		5/1/82
2S	906 Economic revitalization board	40 E1	7/10/82
	907 Administrative hearings office	189	7/1/82
	916 Interest rates on judgments	198	6/10/82
S	920 Occupational info. service	43	7/1/82
S	922 Prison overcrowding reform	228	4/3/82
S	923 Voluntary action center	11 E1	7/10/82
S	931 Public works/funds release	170	6/10/82
	934 Credit unions	67	6/10/82
S	936 Bank holding company	196	4/3/82
	942 Asian-American affairs comm	68	6/10/82
S	946 Traffic safety commission	30	3/12/82
	947 Cattle assessments	47	6/10/82
	955 Public hospital districts	84	6/10/82
	964 Real estate excise taxation	176	6/10/82
S	965 Prison riot/local assistance	49	6/10/82
	980 Energy allow/public ass't. rec.	127	4/1/82
2S	987 Payments to school employees	PV 10 E1	3/27/82
	999 Island library districts	123	6/10/82
S	1006 Taking of property by gov't	232	6/10/82
S	1011 Appearance of fairness doctrine	229	4/3/82
S	1012 Surveys and maps - fees; DNR	165	4/10/82
	1013 Small business innovators prog	44	6/10/82
S	1015 Convention center; Seattle	34	3/19/82
	1017 Camping clubs	69	11/1/82
S	1024 Sheltered workshops/printing	164	6/10/82
	1036 Vendor payments/CC ed. board	50	6/10/82
S	1041 Foreign agricul., coop ass'ns	45	6/10/82
S	1047 Dentist/nondental anesthesia	51	6/10/82
S	1063 Liquor licenses/permits	85	3/27/82
	1066 Criminal justice training comm	124	6/10/82
	1067 Model traffic ordinance	25	3/11/82
	1072 State-employed chaplain	190	4/1/82
	1074 Banks/trust comp. investments	86	6/10/82
	1084 State ed. board; members terms	7 E1	7/10/82

HOUSE BILLS PASSED BY BOTH HOUSES

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House No.	Relating to:	Chapter No.	Effective Date
	1092 Cigarette sales tax	16 E1	7/10/82
	1099 Forest fire prot. assessments	55 E1	7/10/82
S	1109 Budget stabilization modified	36 E1	7/10/82
S	1130 Uniform crime reports prog	125	6/10/82
S	1131 Commercial feed act	177	6/10/82
	1144 County jails/remodeling	87	6/10/82
	1145 Sewer and water districts	17 E1	7/10/82
S	1149 Fireworks Act modified	230	4/3/82
S	1156 Arts/stadium/convention dist	22 E1	7/10/82
	1162 Geoduck management approp	180	6/10/82
S	1165 Board/comm. Congress. dists	30 E1	7/10/82
	1174 Joint oper. agency/election costs	88	7/1/82
S	1226 Public employees/civil serv	PV 53 E1	7/10/82
S	1230 Capital appropriations mod	PV 48 E1	4/20/82
	1243 Food bank tax exempt	3 E2	5/2/82
	1245 Timber tax, public lands	4 E2	8/1/82
	1246 Shelton, repeal single cell	2 E2	*7/2/82
	*Section 2		7/1/85
	1247 Economic Assistance Act	6 E2	10/1/82
	1248 Natural gas, public utility tax	5 E2	8/1/82
	1249 Nursing home reimburse	1 E2	6/30/82
	1251 Establishing state lottery	7 E2	7/16/82
	1253 Capital purchase and develop. acct	8 E2	*10/1/82
	*Section 2		7/1/83

INITIATIVES

394	Lawsuit; BPA nonintervention	6 E1	*7/1/82
	*Section 8		1/1/82
402	Gift and inheritance tax reform	7 E1	1/1/82

**HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Forty-Seventh Legislature
1981 Second Special Session
1982 Regular Session
1982 First and Second Special Sessions

No. Subject:

HOUSE JOINT MEMORIALS

- 14 Foreign trade agreements
15 Mt. St. Helens postage stamp

HOUSE CONCURRENT RESOLUTIONS

- 30 Joint session, governor's address
31 Bills/carry over from 1981 session
32 Joint session, Governor's address
33 Telephone systems, joint committee
34 Joint session; Canadian delegation
36 Joint session, Japanese delegation
37 Investment board, investments
42 State timber sales procedures
47 Congratulating NORAD
48 Notification Governor, sine die
49 Notifying Governor, Special Session organized
50 Oil and gas search, select committee
52 Legislative review of agency rules
53 Legislative interim activities
54 Notifying Governor, sine die
55 Notifying Governor, Second Special Session organized

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Seventh Legislature
1981 Second Special Session

Senate No.	Relating to:	Chapter No.	Effective Date
S 3398	Property taxes discount	Vetoed	

1982 Regular Session
1982 First and Second Special Sessions

	3156 Renewable energy systems	159	6/10/82
	3233 Vehicle accident reporting	52	6/10/82
S	3249 Public disclosure revisions	147	6/10/82
	3297 Insurance/arson	110	6/10/82
S	3361 Port dist. small works projects	92	6/10/82
	3394 Cogeneration facilities	2 E1	3/27/82
	3425 Uranium and thorium milling	78	6/10/82
	3446 Boundary review boards	PV 220	6/10/82
	3495 EMT's certification	53	6/10/82
2S	3541 Oral medication, schools	195	6/10/82
S	3549 Unlicensed drivers, impound. vehicles	8	6/10/82
	3587 Kindergartens/school year	158	6/10/82
	3609 Ed. policies, structures committee	33 E1	4/9/82
S	3617 ASB funds use	231	6/10/82
S	3679 Guaranty funds/interest	5	2/25/82
	3737 Winter recreation activities	11	3/4/82
S	3743 Judicial retire., disability	18	6/10/82
S	3783 Property revaluation	46 E1	*7/10/82
	*Sections 1 - 5		4/20/82
	3795 Health care premium/labor dispute	149	6/10/82
	3847 Uniform allowance/militia	93	6/10/82
S	3913 Unfair business prac. deposition	137	6/10/82
	3916 Shoreline classifications	13 E1	7/10/82
S	3927 RR crossing protective device	94	6/10/82
	3944 Unemployment benefits, dispute	Vetoed	
S	3946 Aircraft fuel excise tax	25 E1	7/1/82
	4025 Smith's Cove waterway	1 E1	7/10/82
S	4046 Cattle/brucellosis vac-test	131	6/10/82
	4064 Sewer/water dists. annex "island"	146	6/10/82
S	4115 International banking	95	7/1/82
	4133 Industrial insurance/death benefits	20 E1	7/1/82
S	4163 Agric. leases, state lands	54	6/10/82
	4199 F.H. Morgan children's center	89	6/10/82
S	4200 Public works revisions	98	6/10/82
S	4201 Insurance/valuation & nonfort.	9 E1	7/10/82
S	4216 Unemployment compensation	18	*4/2/82
	*Section 4		9/26/82
	4250 Revenue & taxation	PV 35 E1	*4/19/82
	*Sections 28 - 30		6/1/82

Senate No.	Relating to:	Chapter No.	Effective Date
	*Sections 33 - 34		7/1/83
	*Sections 35 - 38		1/1/83
S 4285	Social & health services, provisions	PV 19 E1	4/3/82
4307	Park rangers/civil service	79	6/10/82
4313	Youth develop/conserv. corp.	70	6/10/82
4354	City/county health dept	203	6/10/82
4366	Unlawful issuance of checks	138	6/10/82
S 4369	Appropriations, 1981-83, mod.	PV 50 E1	4/20/82
S 4418	DSHS financial responsibility	201	4/3/82
4425	Port district elections	219	6/10/82
4436	Livestock/IMPLIED WARRANTIES	199	6/10/82
S 4437	Commission merchants/livestock pay	20	6/10/82
S 4438	Commission merchants/mod. exclus. & bond	194	6/10/82
S 4449	Judicial positions/Clall., Jefferson	139	4/1/82
S 4460	Bicycle laws revised	55	6/10/82
S 4461	Child sex abuse/neglect	129	6/10/82
4464	Commercial crab licenses	157	4/1/82
4466	Wildlife inspections/business revisions	152	6/10/82
4468	Retirement pay deductions	135	6/10/82
S 4469	Interstate highways construct	19	3/10/82
4474	Spouses, criminal proceed	56	6/10/82
4477	Volunteer work/park lands	156	6/10/82
S 4481	Sewer/water districts/plans	213	6/10/82
4483	Assaults on transit drivers	140	6/10/82
4484	Commercial zones/term. areas	71	6/10/82
4488	LID's, assessments, payments	96	6/10/82
4491	Supreme court judges pro tem	72	6/10/82
4492	Parking offenses	12 E1	7/10/72
4493	Justice courts/fines	150	6/10/82
S 4501	Prevailing wage statements	130	6/10/82
S 4502	Funds apportioned by SPI	136	*9/1/82
	*Section 3		4/1/82
S 4505	County treasurer invest. serv.	73	6/10/82
4506	State treasurer/alter CD allocat.	74	6/10/82
4507	State funds investment	148	6/10/82
S 4510	St. Helens recovery operation	7	2/27/82
4512	Railroad trespass liability	141	6/10/82
4522	Treaty Indian fisheries	197	6/10/82
4544	Motor vehicle owner lists	215	4/3/82
S 4545	MVET exemptions/ride sharing	142	4/1/82
4547	Antique vehicle licenses	143	6/10/82
4549	Transportation budget adjust	57	3/22/82
S 4550	Game dept. check stations	155	6/10/82
4551	Commission on equipment	106	6/10/82
4558	Truck owners-operators	PV 80	6/10/82
4559	Forms reduction act.	214	6/10/82
S 4561	Professional, other fees	162	6/10/82
S 4562	Multistate fuel tax agree	161	4/1/82
S 4566	Audits/agric. marketing funds	PV 81	6/10/82
4569	Assets of domestic insurers	218	6/10/82
4571	Port dists/property sales	75	6/10/82
4584	Arabian horse racing	132	6/10/82
4599	Mosquito control dist. tax	217	6/10/82
4602	Street lighting systems	105	3/31/82
2s 4603	Community redevelop. finance act	42 E1	7/10/82
S 4605	Out-of-state auditing serv	128	3/31/82
4619	Veterans/health problems	97	6/10/82

SENATE BILLS PASSED BY BOTH HOUSES

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Senate No.	Relating to:	Chapter No.	Effective Date
4634	State levy adjustments	28 E1	4/8/82
4635	LEOFF/county disability boards	12	6/10/82
4636	Retire sys/errors correction	13	6/10/82
4638	Lump sum payment/retirement	144	6/10/82
4640	Retirement from public service	52 E1	*7/1/82
	*Sections 9 and 34		4/20/82
4644	Commingled trust fund	58	6/10/82
4660	Administrative rule-making	221	6/10/82
S 4663	Forest products recovery act	222	*6/10/82
	*Sections 2 -9		4/3/82
	*Section 13		4/1/83
S 4675	School district transportation	24 E1	7/10/82
4680	Sheriff's civil serv. comm	133	6/10/82
4681	Natural resources appropriation	154	6/10/82
S 4684	Plant pests/diseases action	153	4/1/82
4690	County road administration	145	6/10/82
4691	Tort feasons/comparative fault	100	3/31/82
S 4692	Motorcycle operator training	77	6/10/82
S 4697	IRA's payroll deductions	107	6/10/82
4701	HMO's reserve funds/insolvency	151	1/1/83
4705	Credit cards/state purchases	45 E1	7/10/82
4706	Spirit Lake memorial highway	82	3/27/82
S 4708	Horse racing, fees, receipts	32	3/16/82
4713	MV fund distribution formula	33	6/10/82
S 4716	Secretary of State/corp. omnibus	35	*7/1/82
	*Many exceptions listed		
4717	State statutes/free copies	32 E1	7/10/82
4718	Veterinarians licensure	134	*6/10/82
	*Section 2		7/1/82
S 4728	Municipal corps/short-term obl	216	4/3/82
4748	Beer and wine instruction	PV 26 E1	7/10/82
4749	Unconst. voter prov. repealed	99	6/10/82
S 4750	DMV/nonresident violators compact	212	6/10/82
S 4775	State patrol/records release	202	6/10/82
S 4786	Community mental health serv	204	6/10/82
S 4824	Aquatic lands	21 E1	*7/1/83
	Sections 176 and 179		4/3/82
S 4826	Law enforce. vehicle lights	101	3/31/82
4831	Shorelines/economic significance	Vetoed	
S 4841	Winter recreation commission	27 E1	7/10/82
S 4846	Lake Osoyoos water control	76	6/10/82
S 4852	Irrigation dist.,delinq. assess	102	4/15/82
S 4859	Prepayment, sales/use taxes	211	6/10/82
S 4864	DNR land, ed. institutions	31 E1	7/10/82
4905	Merged sewer/water districts	104	6/10/82
4909	Solid waste advisory comm	108	6/10/82
S 4917	State education board officers	160	6/10/82
4919	Employment security approp	59	3/22/82
4947	Industrial insurance appeals	109	6/10/82
4952	Electric streetcar operation/rails	103	6/10/82
4956	Historic ferries disposition	210	4/3/82
S 4963	Ports/indust. develop. levies	3 E1	4/1/82
4972	Local gov't. taxing powers	49 E1	*4/20/82
	*Section 5		7/1/82
4992	Tax advisory council	41 E1	7/10/82
4995	Joint operating agencies bids & contracts	44 E1	4/20/82
4996	Joint operation agencies bonds	43 E1	4/20/82

Senate No.	Relating to:	Chapter No.	Effective Date
S 5007	Public emp. retire./accrued vacation	51 E1	7/1/82
5014	Electrical energy, taxation	9 E2	8/1/82
5015	Insurance premium tax	10 E2	7/16/82
5016	Inventory tax credit delay	12 E2	10/1/82
5021	Approp., 1981-83, modifications	11 E2	7/16/82
5030	Tax, radioactive waste	13 E2	8/1/82
5032	Modifying excise taxes	14 E2	7/16/82
5033	Modifying allotment proceed	15 E2	7/16/82

**SENATE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Forty-Seventh Legislature – 1981
1981 Second Special Session
1982 Regular Session
1982 First and Second Special Sessions

No. Subject:

SENATE JOINT MEMORIALS

115 Opposing user fees – navigation projects
S 118 Postsecondary assistance petitioned

SENATE JOINT RESOLUTIONS

S 143 Payment of indebtedness; public improvements

SENATE CONCURRENT RESOLUTIONS

123 Legislature organized, Governor notified
126 St. Helens disaster relief committee
127 Unsound monetary policies action
128 Bills transmittal and retention
129 Governor notified, adjournment sine die
130 Governor notified, Legislature organized
131 Reintroduction of bills
138 Joint Select Committee on Expo '86
143 Joint Select Committee, Milwaukee Road
146 National history contest
148 Bills transmittal and retention
149 Reintroduction of bills
150 Bills to be considered, First Special Session
151 Bills, subjects, Second Special Session
152 Sine die, Second Special Session

**GOVERNOR'S MESSAGES ON HOUSE BILLS
VETOED AND PARTIALLY VETOED**

April 3, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 6 and 7 of
SUBSTITUTE HOUSE BILL NO. 58 entitled:

"AN ACT Relating to local government."

Sections 6 and 7 would restrict the membership of joint city-county housing authorities. Absent fuller discussion of the issue — which did not occur during public hearings on this bill — my inclination is to allow the local governments that establish the joint authorities to determine the most appropriate membership of the authorities.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 20, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 14, 15 and 16(2), SECOND SUBSTITUTE HOUSE BILL NO. 124, entitled:

"AN ACT Relating to public employment; amending certain sections of RCW 28B and RCW 41.04 and other sections and declaring an emergency."

Section 14 directs that the state general fund full-time equivalent employment of any state agency during any month not exceed the average monthly state general fund FTE employment of the previous calendar year or the state general fund FTE employment of the same month of the previous year. Section 14 also limits replacement of state general fund-supported employees to 50 percent of those leaving employment after December 31, 1981.

Employee attrition does not occur evenly between agencies. Agencies with high turnover would be severely affected, particularly in view of staffing reductions that have already occurred. The hiring freeze imposed by Section 14 is overly restrictive; it does not allow for exceptions to meet critical needs, nor does it allow for the planning and control that is essential to good management. In addition, the exempting provisions of this bill will result in an unfair burden being placed on the remainder of state government. For these reasons, I have vetoed Section 14.

Section 15 requires agencies to report every six months to the Office of Financial Management (OFM) the number of vacancies created and positions filled. OFM must present this information to the legislature 15 days thereafter. To require additional paperwork of questionable purpose and value is not appropriate during times of budgetary and staffing reductions. The OFM presently collects and distributes sufficient information to keep the legislature and me adequately informed as to the status of state agency staffing.

Subsection (2) of Section 16 is a study requirement related to Section 14 and is therefore unnecessary.

With the exceptions noted above, Second Substitute House Bill No. 124 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 3, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one paragraph of SECOND SUBSTITUTE HOUSE BILL NO. 378 entitled:

"AN ACT Relating to the regulation of cosmetology."

The paragraph beginning on page 10, line 24, and ending on page 11, line 2, would require public postsecondary schools, as a precondition for the issuance of a cosmetology school location license, to perform extensive market surveys. The purpose of these market surveys would be to demonstrate either unmet demand for cosmetologists or unsatisfactory servicing of current students.

Our community colleges routinely conduct market surveys before establishing new programs. This is a matter of prudent management. Thus, this statutory requirement is not necessary. In addition, this paragraph contains standards which would be difficult to enforce, creates duplicate roles for the Department of Licensing and the Community College Board, and may lead to inequitable treatment of students in certain areas of the state.

With the exception of the paragraph referenced above, Second Substitute Bill No. 378 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 20, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Section 30 of HOUSE BILL NO. 600, entitled:

"AN ACT Relating to crimes."

The Implied Consent Law, passed by the voters of this state in 1969, provides that a person's privilege to drive is conditioned on a promise to take a breathalyzer test when suspected of driving under the influence of alcohol. Failure to take the test results in a six-month loss of license.

Section 30 would undermine the Implied Consent Law. It would permit persons who refuse the breathalyzer and who subsequently are found guilty of DWI to apply for an occupational driver's license. Ironically, those who were acquitted of the charges could not apply for the occupational permit.

If we are to have an Implied Consent Law—and I believe we should—we must enforce it. There must be a clear consequence to refusing the breathalyzer; otherwise, the Implied Consent Law will be intolerably weakened.

With the exception of Section 30, which I have vetoed, House Bill No. 600 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

For Veto Message on SUBSTITUTE HOUSE BILL NO. 811, see page 287.

For Veto Message on HOUSE BILL NO. 826, see page 1255.

April 20, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval HOUSE BILL NO. 829, entitled:

"AN ACT Relating to elected officials."

The words "or identifying information" on page 1, line 15, are ambiguous. It is not clear whether they refer to information identifying an elected official or information identifying a ballot issue. If the latter interpretation were accepted, the previous part of the sentence would prohibit local elected officials from using standard letterhead to distribute any printed information to the electorate within 90 days of an election.

There are proper administrative functions, including the general distribution of government information on a wide variety of subjects, that should not come to a 90-day standstill simply because the official in charge is facing an election.

While the intent of preventing mailing abuses by elected officials is admirable, this bill goes too far and would inhibit legitimate functions of government. I would welcome more carefully drawn legislation.

For these reasons I have vetoed House Bill No. 829.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 3, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 3 and 4 of HOUSE BILL NO. 851, entitled:

"AN ACT Relating to eligibility for services from the developmental disabilities division of the department of social and health services."

Section 3 of this Act is the current federal definition of developmental disabilities, which is designated in Section 4 to take effect March 1, 1983. When this occurs, the federal definition will be in conflict with another definition of developmental disabilities also contained in the bill. I have vetoed Sections 3 and 4 to avoid difficulties in the future interpretation of this section of the Code.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 3, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Sections 11, 12 and 17 of SUBSTITUTE HOUSE BILL NO. 875, entitled:

"AN ACT Relating to state government."

Sections 11, 12 and 17 would effect the termination of the Model Litter Control and Recycling Program on June 30, 1983. In order to comply with the provisions of the Sunset Act, a review of the program would have to be completed by June 30, 1982. Such a short time period is not adequate for a full review of the program.

With the exception of Sections 11, 12 and 17, Substitute House Bill No. 875 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 3, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to subsections (1) and (3) of Section 4 of SUBSTITUTE HOUSE BILL NO. 891, entitled:

"AN ACT Relating to medicare supplemental health insurance."

I have signed into law the main body of the bill. However, subsections (1) and (3) of Section 4 would repeal two current statutes which I feel should remain law. These are RCW 48.66.030 and RCW 48.66.140, both of which contain important consumer protections.

Respectfully submitted,
JOHN SPELLMAN, Governor.

March 27, 1982

To the Honorable,
The House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Section 1(1)(b), SECOND SUBSTITUTE HOUSE BILL NO. 987, entitled:

"An Act Relating to school district employees."

This section would prohibit school boards from paying school employees for unused vacation leave.

Since other state employees are not similarly restricted, it is inequitable to single out one group of employees for differential treatment. Any reform in this area should be uniform.

With the exception of Section 1(1)(b), which I have vetoed, the remainder of Second Substitute House Bill No. 987 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 20, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Section 30 of SUBSTITUTE HOUSE BILL NO. 1226, entitled:

"AN ACT Relating to public employees."

I have vetoed Section 30 on pages 27 and 28, and all references to Section 30 on pages 13, 15, 23, 24, 25 and 27.

Section 30 calls for legislative review and approval of the proposed administrative rules for implementing the act. Failure of the legislature to approve the rules would void several sections of the act. In addition to presenting some constitutional issues relating to the functions of the legislative and executive branches, implementation of this section creates too much uncertainty as to when or whether the law will become effective.

With the exception of Section 30 and the references to it, which I have vetoed, Substitute House Bill No. 1226 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

April 20, 1982

To the Honorable,
the House of Representatives
of the State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Section 16, subsection (60) of SUBSTITUTE HOUSE BILL NO. 1230, entitled:

"AN ACT Relating to appropriations."

New language in Section 16, subsection (60) would require the Department of Fisheries to locate eight salmon-rearing pens at McNeil Island. This is a good idea which the Department of Fisheries is working to implement. But such a project may violate our agreement with the federal government regarding the use of McNeil Island. If, for this reason, the pens at McNeil Island are not possible, the funds should be used for pens elsewhere. The new language would not permit this; vetoing it will permit the Director of Fisheries to make the best use of his limited funds.

With the exception of Section 16, subsection (60), which I have vetoed, House Bill No. 1230 is approved.

Respectfully submitted,
JOHN SPELLMAN, Governor.

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1.		398	525			
1. (Sub)			525	525,1011		
4.			293			
9.		335-337, 344-345				
11. (Sub)			207,282	207,283		
15. (Sub)			207	207,867	864-867	1982 Ch. 171
17. (Sub)				419,1192		
22.				419,940	940	1982 Ch. 111
35.					287,380	
40. (Sub)				347,868	867	1182 1982 Ch. 60
43. (Sub)				207		
46.				208		825 1982 Ch. 14
57.					461	
58. (Sub)				348,870	869	1982-PV Ch. 226
70. (Sub)				208,677	676	1008 1982 Ch. 26
78. (Sub)				493		
86.					461	
95. (Sub)		206,410			200	
100.					242	
114.				284		
115. (Sub)				254		
124. (Sub)		1076	1088			

HISTORY OF HOUSE BILLS

1547

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
124. (2nd Sub)			1088	1122, 1265	1263- 1265	PV 1982-E1 Ch. 54
131.				208,677	677	1008 1982 Ch. 27
135. (Sub)				209,678	677	1008 1982 Ch. 28
148.		398	474			
148. (Sub)			474	474		
151.				296		
174. (Sub)				209,629	629	1002 1982 Ch. 21
179. (3rd Sub)				255,501	498- 500	581 1982 Ch. 4
183.				210,944	629,943	1214 1982 Ch. 90
188.		33				
198.					242	
213. (Sub)				255		
221.		398	488		265	
221. (Sub)			488	488,979	979	1982 Ch. 175
223.				223		
226. (Sub)				318		
259. (Sub)				348		1182 1982 Ch. 61
268. (Sub)				303, 345,1026, 1135	304, 319, 1134	1245 1982 E1 Ch. 14
273.		252	356	356		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
274. (Sub)				292		
279. (Sub)				292		
286.				296,1006, 1157	1154- 1156	1982 E1 Ch. 15
288. (Sub)			319	319,494, 495		
289.				271,631	630	1002 1982 Ch. 22
293. (Sub)				346		
312.		1244	1251			
312. (Sub)			1251	1257		
313.		912	952			
313. (Sub)			952	953		1982 Ch. 174
319.				420		
329. (Sub)		398				
330.				283,631	631	1002 1982 Ch. 23
342.					323	
344.		611				
357.				255,681	678	1124 1982 Ch. 36
361.				223		
375.				256		1182 1982 Ch. 62
378.		206,270	297			
378. (2nd Sub)			297	297,871	871	1982-PV Ch. 225
381.				224,872	871	1982 Ch. 112

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
385.				256		581 1982 Ch. 6
386.				223		
401.				346		1124 1982 Ch. 46
410.				464		1982 Ch. 193
411.					182	
419. (Sub)				240,873	872	1982 Ch. 173
424. (Sub)		206,315	734	734		
436.			515		380	
436. (Sub)			515-517	517		1982 Ch. 205
439.				241		
442.				257		1124 1982 Ch. 37
448.		398	525		492	
448. (Sub)			525	526		1982 Ch. 113
449. (Sub)				293		825 1982 Ch. 15
451. (Sub)				304		
452. (Sub)				347,874	873	1982 Ch. 209
454.		315	377	377,688	681	1182 1982 Ch. 63
457.		368	454	454,760	760	1183 1982 Ch. 83
458.		509	642	642		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
461.				241		
462. (Sub)				462,689	689	1124 1982 Ch. 38
470.				462		
472.				294		
476.			524			
476. (Sub)			524	525		1182 1982 Ch. 64
483.					287	
485.		42	44			
485. (Sub)			44	44	92,129	1981-E2 Ch. 9
494.				318		
500.				257		825 1982 Ch. 16
506. (Sub)				241		
514.					182	
519.				420		
527.				419		
537.					291	291 Vetoed 1981
549.		393				
554.				346		1002 1982 Ch. 24
557. (Sub)		24	25		20	
557. (2nd Sub)			25	38,106	105	176 PV 1981-E2 Ch. 3
563.				295		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
569.				349		
						1124 1982
571. (Sub)				294		Ch. 39
						1124 1982
572.				257		Ch. 40
576.				295		
593. (Sub)				418,874	874	1982 Ch. 208
595.		206			200	
600.				254,1325	1004,1135- 1141,1161, 1316,1318- 1325	PV 1982-E1 Ch. 47
603. (2nd Sub)				399		
612. (Sub)				297,1162		
621.				258,877	875-877	1982 Ch. 114
623.			449	449,974	974	1982 Ch. 115
626. (Sub)				272,766	764	1982 Ch. 184
631.					319	
634. (Sub)				421		
641.				421		
643.		386				
647.		386				
658. (Sub)		206,219	378			
658. (2nd Sub)			378	378		1124 1982 Ch. 48
660.				348		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
663. (Sub)				462,890	888-890	1982 Ch. 116
676.		33				
682.				258		
696. (Sub)				303,976	975	1982 Ch. 166
706.				295		
709. (Sub)				258		
717.		315				
720.				259		825 1982 Ch. 9
723.					286	
728.				294,878	877	1982 Ch. 117
733. (Sub)		206,399	659	659	200	
735.		206				
736.		206,399	700	700,1020, 1250	200, 1249	1982-E1 Ch. 34
745.			281	282,878	878	1982 Ch. 185
751.		280	354			
751. (Sub)			354	354,356	355	1008 1982 Ch. 29
752.				497		1982 Ch. 169
755.		1132	1164	1192		
756.	5	42,52	58			
756. (2nd Sub)			58-60	73,178	119-122, 178	1981-E2 Ch. 10
757.	5	24	26	38,270	761	1982 Ch. 119

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
758.	5					
759.	6	57	71		57	
759. (Sub)		237	71-72	73		
760.	7	43	50		49	
760. (Sub)			50	50, 133	107-111, 129-133	1981-E2 Ch. 11
761.	8					
762.	8	49	55			
762. (Sub)			55	55,284, 884	879- 884	1982 Ch. 163
763.	9	29,33 42	44		19	
763. (Sub)			44-48, 54-55, 95-101	102	55	
764.	9	1132	1164			
764. (Sub)			1164	1164		1350 1982-E1 Ch. 29
765.	9	394	569	569, 1012		1183 1982-E1 Ch. 4
766.	9	24	26			
766. (Sub)			26	38	83	127 1981-E2 Ch. 1
767.	10					
768.	10	29,33, 52	56, 285	57,284, 285,941	941	
769.	10					
770.	10	30,33 53	60			
770. (Sub)			60, 65-68	68		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
771.	11					
772.	11					
773.	11	44	51		49	
773. (Sub)			51,56	56,93	92	176 1981-E2 Ch. 4
774.	12	33	48			
774. (Sub)			48	49,124	122-124	1981-E2 Ch. 12
775.	12	24	27	174		1981-E2 Ch. 5
776.	12					
777.	12					
778.	12	30,33, 44	51		19,49	
778. (Sub)			51	60, 292,988	980-988	1982 Ch. 227
779.	14					
780.	15	24	27	39,94	93	127 1981-E2 Ch. 2
781.	15					
782.	15	30	40			
782. (Sub)			40, 61-62	61,63, 178	178	1981-E2 Ch. 13
783.	15					
784.	15	54	74		17	
784. (Sub)		1214	74-81, 1229	84,280	1183	
784. (2nd Sub)			1229, 1238	1240		1982-E1 Ch. 37
785.	16					
786.	21	33	227		23	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
786. (Sub)		665	227-230		418	
787.	21	200	210		23	
787. (Sub)			210-214	226, 242	240, 407,413	554 1982 Ch. 2
788.	21	69	69		69	
788. (Sub)		84	69-71, 90	71	71,82	
788. (2nd Sub)			90	90		1981-E2 Ch. 8
789.	21					
790.	21	124	371			
790. (Sub)			371			
791.	22					
792.	22					
793.	22					
794.	22					
795.	23	49,64	657	657,1012, 1382	1382	1982-E1 Ch. 38
796.	23	50,65	589,659	659, 1013, 1384	1329- 1330, 1383	1982-E1 Ch. 39
797.	29					
798.	32					
799.	32	69	81		69	
799. (Sub)			81,370	1327		
800.	42	54	60	85		
801.	52					
802.	52					
803.	52				1088	
804.	58	173	174			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
804. (Sub)			174	177	177,183	
805.	58					
806.	58	352	444			
806. (Sub)			444	496	496,529	
807.	64					
808.	64	87	112			
808. (Sub)			112-116	116,259, 1027,1233	1070, 1232	1982-E1 Ch. 23
809.	74					
810.	74	352	452			
810. (Sub)			452-453, 454	454		1124 1982 Ch. 41
811.	82	87	88			
811. (Sub)			88	89-90 172,290	133-171 173,179 287-290	287-PV 1981-E2 Ch. 14
812.	82	611				
813.	87	104	104,111		174	
814.	104					
815.	124	410				
816.	124					
817.	127				128	
818.	127					
819.	128					
820.	176	206,280	371		200	
820. (Sub)			371	371		
821.	176					
822.	180	237	340-343	343		1982 Ch. 186
823.	192	206,394	474			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
823. (Sub)			474	474,763	762	1239 1982 Ch. 91
824.	192	437	523			
824. (Sub)			523	524,763	763	1982 Ch. 168
825.	192	247	302	302		
826.	192	277,379	450	450		1255-PV 1982 Ch. 183
827.	192					
828.	192	369,546	588			
828. (2nd Sub)			588	588, 1027, 1044	1040	1183 1982-E1 Ch. 8
829.	192	399	475	475, 1027		Vetoed
830.	193					
831.	193					
832.	193	247	356	356		1124 1982 Ch. 42
833.	193	327	432			
833. (Sub)			432	433		581 1982 Ch. 3
834.	196	386	449			
834. (Sub)			449	450		1031 1982 Ch. 31
835.	196	252	357			
835. (Sub)			357	358		
836.	196	399	568	569		
837.	196	252	338			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
837. (Sub)			338	339,886	885	1982 Ch. 167
838.	196	410				
839.	196					
840.	196	386	455			
840. (Sub)			455	455, 1013		1183 1982-E1 Ch. 5
841.	196	247	317	317		
842.	197	248	335	335		
843.	197	328				
844.	197	277	300	301		1182 1982 Ch. 65
845.	197					
846.	197					
847.	197	206	243	243,264	264	311 1982 Ch. 1
848.	197	328	526			
848. (Sub)			526, 531-532	532		1982 Ch. 118
849.	197	365	414			
849. (Sub)			414	415, 892	891	1982 Ch. 191
850.	198					
851.	198	386	491	491,932	408,932	1982-PV Ch. 224
852.	198	399	527			
852. (Sub)			527	527		1982 Ch. 120
853.	198	400				
				454,		1183 1982-E1

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
854.	200	316	453	1004		Ch. 6
855.	200	253	317			
855. (Sub)			317	318		
856.	200					
857.	201	305	337			
857. (Sub)			337,340	378,1013		
858.	202	316	372			
858. (Sub)			372		513	
859.	203	400	514	514,892	892	1982 Ch. 179
860.	203	410	485			
860. (Sub)			485			
861.	203					
862.	203					
863.	203					
864.	203	278	359	359,933	933	1982 Ch. 187
865.	203	253	337	338		
866.	203					
867.	204					
868.	204	349	373			
868. (Sub)			373	373		1982 Ch. 126
869.	204	300	355			
869. (Sub)			355	355,1014		
870.	204	369	447			
870. (Sub)			447	497		
871. . 204	400	486				

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
871. (Sub)			486	486		Ch. 66
872.	204					
873.	204					
874.	204	328	373			
874. (Sub)			373	373,886	886	1982 Ch. 192
875.	215	316	416			
875. (Sub)			416,422	422,766	766	1982-PV Ch. 223
876.	204					
877.	205					
878.	205	237	339			
878. (Sub)			339	339,908	767, 908	1982 Ch. 182
879.	205					
880.	216	387				
881.	216					
882.	216					
883.	216	387	475	476		1982 Ch. 172
884.	216	222	253	253		825 1982 Ch. 10
885.	217	387	445,491	445,491, 492,1014	455	
886.	217					
887.	217	394	517			
887. (Sub)			517	517		1982 Ch. 188
888.	217	365	377			
888. (Sub)			377	377,976	976	1982 Ch. 121

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
889.	217					
890.	217	365	519			
890. (Sub)			519	520		
891.	217	410	489			
891. (Sub)			489	489,893	893	1982-PV Ch. 200
892.	217	369	489			
892. (Sub)			489	489		
893.	217	387	446		319	
893. (Sub)			446	447		
894.	220	400,441	520	521		1982 Ch. 178
895.	220	352	476			
895. (Sub)			476	534,559	535,558	
896.	220	400-401	476	476		826 1982 Ch. 17
897.	220	278	302	302		1982 Ch. 122
898.	220	369	457			
898. (Sub)			457	457		
899.	220					
900.	221	365	490			
900. (Sub)			490	490		
901.	221					
902.	221	437	484			
902. (Sub)			484	485,943	941	1982 Ch. 181
903.	221					
904.	221					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
905.	221	331	443			
905. (Sub)			443	444		
906.	222	379,611	700			
906. (2nd Sub)			700-702	736,1015, 1354	1354	1982-E1 Ch. 40
907.	222	383	458	458,900	270,894- 899	1982 Ch. 189
908.	222					
909.	222					
910.	222					
911.	222					
912.	239	547	642		244	
912. (Sub)			642-647	705,823	753	
913.	231					
914.	232	437	476			
914. (Sub)			476	534-535		
915.	232	401	568	675	675	
916.	232	278	302	302,887	887	1982 Ch. 198
917.	232					
918.	232					
919.	232	425				
920.	232	366	376			
920. (Sub)			376	376,690	689	1124 1982 Ch. 43
921.	232					
922.	232	305	344			
922. (Sub)			344	421,433 972	422,972	1982 Ch. 228

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
923.	233	278,387	429			
923. (Sub)			429	429,888, 1005	887, 989	1200 1982-E1 Ch. 11
924.	233					
925.	233					
926.	233	441	518			
926. (Sub)			518,523, 600,601	600,601, 1015		
927.	233					
928.	233					
929.	233					
930.	234					
931.	234	316	444			
931. (Sub)			444	444,940	939	1982 Ch. 170
932.	234	300	358			
932. (Sub)			358	359		
933.	234	379	527	528,1162		
934.	234	270	450	451		1182 1982 Ch. 67
935.	234	270	451	451,1005	901	
936.	234	369	451			
936. (Sub)			451	452	452,462	1982 Ch. 196
937.	235				647	
938.	235					
939.	235	394				
940.	236					
941.	236	366,437	477			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
941. (2nd Sub)			477,535, 566-567		477	
942.	237	253	339	339		1182 1982 Ch. 68
943.	237					
944.	237					
945.	237					
946.	239	316	374			
946. (Sub)			374	374,767	767	1008 1982 Ch. 30
947.	239	366	449	449		1124 1982 Ch. 47
948.	239					
949.	240					
950.	245	380	567	567		
951.	245					
952.	245	425				
953.	245					
954.	246					
955.	246	300	417	417		1183 1982 Ch. 84
956.	246	328	405			
956. (Sub)			405	405		
957.	246	328	433			
957. (Sub)			433-435	435		
958.	246					
959.	246					
960.	249	353	448	448		

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
961.	249	401	457			
961. (Sub)			457	457		
962.	249	388				
963.	249					
964.	249	388	458	458		1982 Ch. 176
965.	250	411	477			
965. (Sub)			477	477		1124 1982 Ch. 49
966.	250	329	477	477		
967.	250	329	478	478, 1005	888, 1141	
968.	250	329	413	413		
969.	250					
970.	250	401	478	478		
971.	250					
972.	250					
973.	250	411	479			
973. (Sub)			479, 601,624	601, 625		
974.	251					
975.	251					
976.	251					
977.	251	512	556			
977. (Sub)			556	556,1020		
978.	251	401				
979.	251	388				
980.	251	329	528	528		1982 Ch. 127

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
981.	251					
982.	251					
983.	252					
984.	252					
985.	252	370				
986.	266	310	374	374		
987.	266	317,401	443			
987. (2nd Sub)			443	443,1028, 1046	1045	1183 PV 1982-E1 Ch. 10
988.	267					
989.	267	388				
990.	267	394				
991.	268	402	479	480,1020		
992.	268					
993.	268					
994.	268	389				
995.	268	537				
996.	268	402	459			
996. (Sub)			459	497-498, 672-673	498, 529	
997.	268	425	655	655		
998.	269	425	625, 627-628	690	269,690	
999.	269	353	415	415		1982 Ch. 123
1000.	269	394	480	496,533	496	
1001.	274					
1002.	274	426	515	515,1163		
1003.	274					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1004.	274					
1005.	274					
1006.	275	466	514			
1006. (Sub)			514	514,978	977	1982 Ch. 232
1007.	275	441	522			
1007. (Sub)			522	522		
1008.	275					
1008.	275					
1010.	275	402				
1011.	275	395	448			
1011. (Sub)			448	448,901	900	1982 Ch. 229
1012.	275	389	564			
1012. (Sub)			564	565,973	973	1982 Ch. 165
1013.	275	329	375	375		1124 1982 Ch. 44
1014.	276	370	435		280	
1014. (Sub)			435	463,1034		
1015.	276	411	480			
1015. (Sub)			480-481	482,676	675	1074 1982 Ch. 34
1016.	276					
1017.	276	353	415	415,768	767	1182 1982 Ch. 69
1018.	276					
1019.	276					
1020.	277					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1021.	279					
1022.	279				1033	
1023.	299	389	568	568,1163		
1024.	299	366	405			
1024. (Sub)			405	405,934	933	1982 Ch. 164
1025.	299	437				
1026.	299					
1027.	299					
1028.	306					
1029.	306					
1030.	306	411				
1031.	306					
1032.	306					
1033.	306	331	406	464		
1034.	307					
1035.	307					
1036.	307	366	414	414		1124 1982 Ch. 50
1037.	307					
1038.	307					
1039.	307	411,547	704			
1039. (Sub)			704-705	823,1021		
1040.	307					
1041.	308	402	482			
1041. (Sub)			482	482		1124 1982 Ch. 45
1042.	308					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1043.	308					
1044.	308					
1045.	308					
1046.	309					
1047.	309	402	482			
1047. (Sub)			482	483		1124 1982 Ch. 51
1048.	309	389	446			
1048. (Sub)			446			
1049.	309					
1050.	311					
1051.	311	603				
1052.	311	466				
1053.	312	438	513			
1053. (Sub)			513, 563-564, 702-703	776, 1035		
1054.	312					
1055.	312					
1056.	312					
1057.	312	426,442				
1058.	312	353	413	414		
1059.	313					
1060.	313	547				
1061.	313					
1062.	314				314	
1063.	314	389	430			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1063. (Sub)			430-432, 436	464, 939	934	1982 Ch. 85
1064.	314	426				
1065.	324					
1066.	324	331	416	416		1982 Ch. 124
1067.	324	403	483	483		1002 1982 Ch. 25
1068.	324					
1069.	324	412	483			
1069. (Sub)			483	535		
1070.	325					
1071.	325	412	519	519		
1072.	325	403	565	565		1982 Ch. 190
1073.	325					
1074.	325	427	555	555		1183 1982 Ch. 86
1075.	325	547				
1076.	325				331	
1077.	325					
1078.	325	427	569	569		
1079.	325					
1080.	325	427	567	567		
1081.	326					
1082.	326					
1083.	326	403				
1084.	326	403	458	458, 1006	978-979, 1046-1048 1073	1183 1982-E1 Ch. 7

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1085.	326					
1086.	326	438	483			
1086. (Sub)			483			
1087.	327	427	488	488		
1088.	327					
1089.	327	427				
1090.	330					
1091.	351	438,562			806	
1092.	351	648	768	768,1028, 1143	422, 1142	1982-E1 Ch. 16
1093.	351	438,611				
1094.	351					
1095.	351					
1096.	351					
1097.	352					
1098.	360	438	523			
1098. (Sub)			523,525, 600,601	600, 602		
1099.	367	442	1164	1241, 1260	1259	1982-E1 Ch. 55
1100.	360					
1101.	360					
1102.	360	547	590			
1102. (Sub)			590-597	674, 1021	674, 696	
1103.	361	754,831	919			
1103. (2nd Sub)			919-923	923,1021		
1104.	361					
1105.	361	548	597			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1105. (Sub)			597	598,1022		
1106.	361					
1107.	367					
1108.	361	442				
1109.	361	548	656			
1109. (Sub)			656	707,1022, 1259	1259	1982-E1 Ch. 36
1110.	361					
1111.	362					
1112.	362	403			380	
1113.	362					
1114.	362					
1115.	362					
1116.	362	603				
1117.	362	466			492	
1118.	362					
1119.	363	404	460	460		
1120.	363	412				
1121.	363	404	460			
1121. (Sub)			460-461			
1122.	363	412	485			
1122. (Sub)			485	485		
1123.	363	395	521	521		
1124.	363	439				
1125.	363	404	455			
1125. (Sub)			455	455		
1126.	363	466				
1127.	363	466	529			

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1127. (Sub)			529	673	674	
1128.	364	548	658			
1128. (Sub)			658	658		
1129.	364	395	446	446		
1130.	367	467	518			
1130. (Sub)			518	518		1982 Ch. 125
1131.	367	412	484			
1131. (Sub)			484	484,902	902	1982 Ch. 177
1132.	367					
1133.	368	548				
1134.	368	442	565			
1134. (Sub)			565	566		
1135.	381					
1136.	382					
1137.	382					
1138.	382	665				
1139.	382					
1140.	382	549	600			
1140. (Sub)			600	600,1023		
1141.	382	648,721	944		663	
1141. (Sub)			944	945,1023		
1142.	382					
1143.	383					
1144.	383	404	484	484		1183 1982 Ch. 87
1145.	383	439	556	557,1028, 1154	1143- 1154	1982-E1 Ch. 17

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1146.	383					
1147.	383				468,573	
1148.	383	583				
1149.	383	512	555			
1149. (Sub)			555	556,973	973	1982 Ch. 230
1150.	384	611	737			
1150. (Sub)			737	737		
1151.	384					
1152.	385					
1153.	385					
1154.	385					
1155.	385					
1156.	385	413	486			
1156. (Sub)			486	487,1023, 1180	1176- 1180	1982-E1 Ch. 22
1157.	391					
1158.	391	509	953			
1158. (Sub)			953	953,1024		
1159.	391					
1160.	391					
1161.	391					
1162.	392	427	530	530		1982 Ch. 180
1163.	392					
1164.	392				573	
1165.	392	549	954			
1165. (Sub)			954	954, 1024		1350 1982-E1 Ch. 30

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1166.	396					
1167.	396					
1168.	396					
1169.	396	442				
1170.	408					
1171.	408					
1172.	408	439				
1173.	408	439	557	557		
1174.	409	467	530	530		1183 1982 Ch. 88
1175.	409					
1176.	409	549				
1177.	409					
1178.	409	467	517	674, 733,735	674, 731	
1179.	409					
1180.	409	467	531	531		
1181.	424					
1182.	424					
1183.	424					
1184.	424					
1185.	465					
1186.	465					
1187.	465	509				
1188.	470					
1189.	471				492	
1190.	471					
1191.	471					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1192.	502					
1193.	502					
1194.	502					
1195.	505					
1196.	506	776	1208		1208	
1197.	506					
1198.	506					
1199.	512					
1200.	536					
1201.	542					
1202.	539					
1203.	542					
1204.	554					
1205.	561					
1206.	561					
1207.	561					
1208.	561					
1209.	561					
1210.	574					
1211.	574					
1212.	582					
1213.	582				583	
1214.	582					
1215.	582					
1216.	582	648	1165			
1216. (Sub)			1165	1193		
1217.	582	699	770		583	

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1217. (Sub)			770- 775	775, 1025	1234-1238, 1316,1329, 1385-1389	
1218.	603					
1219.	609					
1220.	609					
1221.	609					
1222.	609					
1223.	610					
1224.	610					
1225.	610					
1226.	610	1077	1077		1050	
1226. (Sub)			1077- 1088	1122, 1275	1266- 1275	PV 1982-E1 Ch. 53
1227.	620					
1228.	621	722				
1229.	621					
1230.	621	912	960			
1230. (Sub)			960,1050- 1064, 1250	1251, 1413	1037, 1390- 1412	PV 1982-E1 Ch. 48
1231.	622	665	734	734,1163		
1232.	1066					
1233.	1066					
1234.	1074					
1235.	1200					
1236.	1255					
1237.	1430					
1238.	1430					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1239.	1431					
1240.	1431					
1241.	1431					
1242.	1431					
1243.	1431		1432,1434	1434		1982-E2 Ch. 3
1244.	1431					
1245.	1431		1432, 1433	1433		1982-E2 Ch. 4
1246.	1432		1432, 1436	1436		1511 1982-E2 Ch. 2
1247.	1432		1432	1432		1982-E2 Ch. 6
1248.	1432		1432, 1434	1434		1982-E2 Ch. 5
1249.	1432		1432, 1435	1435		1468 1982-E2 Ch. 1
1250.	1440					
1251.	1440		1468, 1470-1480	1480		1982-E2 Ch. 7
1252.	1440					
1253.	1440		1468, 1469	1469		1982-E2 Ch. 8
1254.	1468					
1255.	1468		1468,1469	1469		
1256.	1468					
1257.	1468		1468,1470	1470		
1258.	1468					
1259.	1511					
1260.	1511		1511	1512		

HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
1.			660-662	660,662	662,671	
14.				271		
15.				254		
19.	240					
20.	269	390	443	495	494	
21.	314					
22.	364	467	532	532		
23.	393					
24.	554	604	659	706		
25.	574	649				
26.	610					
27.	1440					
28.	1468					

HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
13.		549	655			
13. (Sub)			655	705,1025		
14.	198					
15.	198					
16.	199					
17.	218					
18.	218					
19.	222					
20.	269	428	656	656	656,663	
21.	277					
22.	277					
23.	393					
24.	409					
25.	409					
26.	502					

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
30.	2		2	2	20	
31.	17		18	18	20	
32.	187		187			
33.	243		243	244,266	266	
34.	249		249	249		
35.	309					
36.	330		330	330		
37.	352		352,375	376,1026		
38.	385					
39.	424					
40.	561					
41.	582	722				
42.	582	632,754	950	952		
43.	610					
44.	610					
45.	610					
46.	610					
47.	805		805,812	812		
48.	994		994	994		
49.	1001		1001	1001		
50.	1201		1414	1414		
51.	1256					
52.	1381		1415	1415		
53.	1382		1415	1415		
54.	1422		1422	1422		
55.	1428		1429	1429		

HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
87. Representatives Nelson (G), Ehlers: Notifying Senate House organized.	2	2	
88. Representative Nelson (G): Creating Select Committee on Deregulation and Productivity.	4	5	
89. Representatives Nelson (G), Ehlers, Bender, Tupper, Addison, Amen, Barnes, Barr, Barrett, Becker, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Lane, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Honoring veterans, Veterans' Day.	27	27	
90. Representatives Bond, Tilly, Stratton, McCormick, McGinnis, Padden, Taylor, Barrett, Leonard, Fancher, Barr, Addison, Amen, Barnes, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Lane, Lewis, Lundquist, Lux, Martinis, Maxie, McDonald, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Struthers, Teutsch, Thompson, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Wishing recovery to Dave Cunningham from injuries received.	37	37	
92. Representatives Ellis, Prince, Amen, Greengo, Taylor, Addison, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Congratulating UW and WSU's football success.	118	119	
93. Representatives Martinis, Nisbet, Owen, Gallagher, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Gruger, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Condolences to Phil Sutherland family.	111	111	
95. Representatives Bond, Fancher, Sanders: Requesting report of Blue Ribbon Committee regarding murals.	179	179	
96. Representative Nelson (G): Readopting House Resolution No. 81-81.	183	183	
97. Representative Nelson (G): Notifying Senate House ready to adjourn sine die.	183	183	
99. Representatives Nelson (G), Ehlers: Notifying Senate House organized.	187	187	
100. Representatives Wilson, Nisbet: Requesting shoreland study.	224	225	
101. Representative Nelson (G): Requesting report of Select Committee on Child Abuse.	225	225	
102. Representatives Hankins, Isaacson: Commending Columbia High School football team.	225	225	
103. Representatives Maxie, O'Brien, Wang, Galloway, Valle, Burns, Patrick, Gallagher, Tilly, Struthers, Heck, Garrett, Pruitt, McDonald: Martin Luther King, Jr.	225	226	
104. Representatives Wilson, Schmidt, Owen, Fiske, James, Granlund, Lundquist, Nisbet, Eberle, Houchen: Urging improvement of ferry system.	286	286	

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
105. Representatives Schmidt, Martinis, Chamberlain, Brown, Mitchell, Taylor, Leonard, Johnson, Salatino, Gallagher, Wilson, Hankins, Dawson, Nelson (G), Lundquist, Barrett, James, Wang, Nisbet, Struthers, Sprague, McCormick: Urging federal government to compensate common school districts.	285	286	
107. Representatives Ellis, Padden, Armstrong, Salatino, Barnes, Taylor, Fiske, Johnson, Chandler, Nisbet, Houchen, Addison, Hankins, Berleen, Patrick, Barr, Winsley, McGinnis, Chamberlain, Eberle, Amen, Barrett, Becker, Bender, Bickham, Bond, Brekke, Brown, Burns, Cantu, Clayton, Cole, Dawson, Dickie, Ehlers, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hastings, Heck, Hine, Isaacson, James, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Owen, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson: Urging emigration of Siberian Seven.	320	320	
108. Representatives Padden, McGinnis, Hastings, Lewis, Winsley, Nisbet, Patrick, Ehlers, Clayton, Chamberlain, Valle, Flanagan, Rosbach, Wang, Berleen, Bond, Struthers, Greengo, Chandler, Dickie, Lundquist, Schmidt, Tilly, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Bickham, Brekke, Brown, Burns, Cantu, Cole, Dawson, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Grimm, Hankins, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, North, O'Brien, Owen, Polk, Prince, Pruitt, Rinehart, Rust, Salatino, Sanders, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Taylor, Teutsch, Thompson, Tupper, Van Dyken, Vander Stoep, Walk, Warnke, Williams, Wilson: Proclaiming solidarity with Poland.	320	321	
109. Representatives Heck, Ehlers, Grimm, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Ellis, Eng, Erak, Fancher, Fiske, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
(R), Kreidler, Leonard, Lewis, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Honoring Franklin Delano Roosevelt.	321	322	
110. Representatives Salatino, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Thanking government and people of Italy for release of General James L. Dozier.	322	323	
112. Representatives Granlund, Dawson, Salatino, Wang, Gallagher, Brown, Grimm, Walk, Winsley, Johnson, Ehlers, Kaiser, Maxie: Designating The Reverend Leo Charles Brown, Jr., Day.	368	368	
116. Representative Rinehart: Urging Pacific Northwest Trail be included in national trail system.	468	468	
117. Representatives Nelson (G), Ehlers, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Commending Richard Larsen on political reporting.	468	469	
120. Representatives Hine, Nisbet, Becker, Padden, Barnes, Stratton, Greengo, Kreidler, Rust, Bender, King (J), Sommers, Galloway, Brekke, Burns, Winsley, Armstrong: Urging DSHS in efforts to families in conflict.	1067	1067	
122. Representatives Tilly, Kreidler, Bond, Chandler, Greengo, Hastings, James, Johnson, Lewis, Lundquist, Nisbet, Polk, Sanders, Taylor, Tupper, Williams, Wilson, Houchen, Fiske, Thompson, Struthers: Commending Rotary International.	558	558	
125. Representatives Owen, Erak: Condolences to Robert N. Johnson, killed in mudslide.	1067	1068	
126. Representatives Patrick, McDonald, Sanders, Cantu, Dawson, Granlund, Sherman, North, Brown, Ehlers, Teutsch, Warnke, Nisbet, Galloway, Garrett, Salatino: Commending student congress.	1068	1068	
127. Representatives Rinehart, Kreidler, Burns, Pruitt, Scott, Granlund, Cole, Eng, Valle, Wang, Lux, Maxie: Questioning use of tax moneys for military aid to El Salvador.	1068		1069
129. Representatives Isaacson, Hankins, Dickie, Clayton: Commending Frederick P. Beirele and Donald E. Chittick for work developing energy alternatives.	656	657	
137. Representatives Bond, Thompson, Sanders, Owen, Berleen, Bickham, Barrett, Nisbet, Leonard, Hastings, Dickie, Ellis: Requesting removal of murals in House Chambers.	769	769	
138. Representatives Rinehart, Winsley, Valle, Brekke, Hine, Cole, Sherman, Becker, Monohon, Granlund, Galloway, Rust, Teutsch, Berleen, North, Hankins, Stratton, McCormick, Maxie, Sommers, Houchen, Armstrong, Padden, Wang, King (J), Barrett, Bickham, Ellis: International Women's Day.	769	770	
142. Representatives Tilly, Nickell: Commending Cle Elum-Roslyn High School girls' basketball team.	1019	1019	
144. Representatives Garson, Kreidler, Rosbach, Vander Stoep: Recognizing Father Sebastian Ruth and radio station KGY.	911	912	
154. Representatives Fiske, Grimm, Dawson, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dickie, Eberle, Ehlers, Ellis, Eng, Erak, Fancher, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nelson (G), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Commending senior citizen interns.	958	958	
155. Representatives Hastings, Heck, Ehlers, Nelson (G), Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, Owen, Padden, Patrick, Polk, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Compelling Representative John L. O'Brien to write book of experiences.	992	993	
156. Representative Nelson (G): Notifying Senate House ready to adjourn sine die.	991	992	
159. Representative Nelson (G): Notifying Senate House organized.	1000	1001	
161. Representatives Greengo, Rinehart, Ellis, Nelson (D): Congratulating Seattle's Roosevelt High School basketball team.	1018	1019	
164. Representative Erak: Congratulating Aberdeen High School basketball team.	1033	1033	
165. Representatives Nelson (G), Garson: Urging governor to proclaim "Amateur Wrestling Day."	1039	1040	
166. Representatives Smith, Amen, Barr, Bickham, Bond, Clayton, Dickie, Fancher, Flanagan, Hankins, Hastings, Isaacson, James, Leonard, Lewis, Lundquist, McGinnis, Nickell, Padden, Prince, Struthers, Taylor, Tilly, Van Dyken, Galloway, Kaiser: Agriculture Day.	1040	1040	
167. Representatives O'Brien, Amen: Recognizing Philip J. Raboin, organist.	1066	1067	
168. Representatives Williams, Thompson, Fiske, Maxie, Amen, Ellis, Monohon, Garson, Barnes, Kaiser, McGinnis, Vander Stoep, Kreidler, Pruitt,			

NUMBER, AUTHOR AND SUBJECT	Introduced	Floor Action	Other Action
Rosbach, King (J), Tilly: Requesting interim study of retirement.	1240	1240	
174. Representatives Tilly, Ehlers: Requesting Parks Commission to study reorganization.	1260	1261,1263	1261,1262
175. Representatives Nelson (G), Ehlers: Providing for interim work.	1423	1425	
176. Representatives McDonald, Heck, Dawson, Pruitt: Requesting study of higher education help to state government.	1423	1423	
177. Representatives Polk, Nelson (G), Ehlers, Addison, Amen, Armstrong, Barnes, Barr, Barrett, Becker, Bender, Berleen, Bickham, Bond, Brekke, Brown, Burns, Cantu, Chamberlain, Chandler, Clayton, Cole, Dawson, Dickie, Eberle, Ellis, Eng, Erak, Fancher, Fiske, Flanagan, Gallagher, Galloway, Garrett, Garson, Granlund, Greengo, Grimm, Hankins, Hastings, Heck, Hine, Houchen, Isaacson, James, Johnson, Kaiser, King (J), King (R), Kreidler, Leonard, Lewis, Lundquist, Lux, Martinis, Maxie, McCormick, McDonald, McGinnis, Mitchell, Monohon, Nelson (D), Nickell, Nisbet, North, O'Brien, Owen, Padden, Patrick, Prince, Pruitt, Rinehart, Rosbach, Rust, Salatino, Sanders, Schmidt, Scott, Sherman, Smith, Sommers, Sprague, Stratton, Struthers, Taylor, Teutsch, Thompson, Tilly, Tupper, Valle, Van Dyken, Vander Stoep, Walk, Wang, Warnke, Williams, Wilson, Winsley: Extending appreciation to Vito T. Chiechi for years of service.	1313	1313	
178. Representative Nelson (G): Electing Patricia M. Williams as temporary Chief Clerk.	1328	1328	
181. Representative Nelson (G): Notifying Senate House ready to adjourn sine die.	1425	1425	
183. Representative Nelson (G): Postponing bills, memorials and resolutions.	1425	1425	
184. Representative Nelson (G): Notifying Senate House organized.	1428	1428	
189 186. Representative Nelson (G): Notifying Senate House ready to adjourn sine die.	1513	1513	

HISTORY OF SENATE BILLS

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3001.	542	777				
3007.	246					
3017.	218					
3025. (2nd Sub)	542					
3027. (2nd Sub)	471					
3033. (2nd Sub)	330, 1201	612				
3044. (Sub)	721					
3059.	327					
3112.	471	632	843	861		
3121.	218					
3145.	218	549				
3156.	277	574	734	735		1982 Ch. 159
3233.	218	604	735	735		1982 Ch. 52
3240.	277					
3242.	218, 1008	574	828-831, 850-852, 1009	864, 1009	995	
3249. (Sub)	279	633	736	737		1982 Ch. 147
3292.	327					
3297.	218	612	759	760		1982 Ch. 110
3301.	218	649				
3310.	246, 1201	575				
3318.	246					
3328. (Sub)	364	633				
3332. (Sub)	330					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3361. (Sub)	542	649	817	817		1982 Ch. 92
3363. (Sub)	218					
3394.	247, 1017	583	857, 1037	858, 1037	995	1982-E1 Ch. 2
3398. (Sub)	181		181	181,182	182	Vetoed
3405.	393					
3425.	506	576	737	737		1982 Ch. 78
3446.	314	614	712,717	718		PV 1982 Ch. 220
3495.	397	513	716	716		1982 Ch. 53
3512. (Sub)	314					
3518. (Sub)	300					
3541. (2nd Sub)	471	576	751	751		1982 Ch. 195
3549. (Sub)	330	513	570	570		1982 Ch. 8
3557. (Sub)	471					
3565.	277					
3582. (Sub)	218					
3587.	471	650	846	862		1982 Ch. 158
3609.	279,1032	576,913	1257	1257	663	1982-E1 Ch. 33
3617. (Sub)	502	577	923	923		1982 Ch. 231
3679. (Sub)	471	509	570	570		1982 Ch. 5
3724.	247					
3737.	247	537	571	571		1982 Ch. 11

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
3743. (Sub)	219	317	571	572		1982 Ch. 18
3775. (2nd Sub)	471, 1121	633				
3783. (Sub)	1076	1132	1165- 1168	1168, 1365	1259,1327, 1339,1350- 1354	1982-E1 Ch. 46
3795.	542	616	752	752		1982 Ch. 149
3823.	314					
3847.	393	550	758	758		1982 Ch. 93
3864.	542					
3895. (Sub)	327					
3898.	280	622	805-808			
3913. (Sub)	503	633	907	907		1982 Ch. 137
3915.	542,1032					
3916.	543, 1008	665	967-969, 1009	969, 1009,1157	1157	1982-E1 Ch. 13
3921.	543					
3927. (Sub)	219	513	717	717		1982 Ch. 94
3930.	247					
3944.	543	699	843, 846-847	919		Vetoed
3946. (Sub)	425, 1017	443, 579	715, 1018	715, 1018, 1204	995,1158, 1199, 1204	1982-E1 Ch. 25
3965. (Sub)	277					
3993. (Sub)	240					
4025.	327, 1008	665	826, 1010	827, 1010	995, 1029	1982-E1 Ch. 1

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4046. (Sub)	582	666	738	738		1982 Ch. 131
4061. (Sub)	698					
4064.	327	550	749	749		1982 Ch. 146
4112.	472					
4113.	472	778				
4115. (Sub)	364	604	826	826		1982 Ch. 95
4133.	543,1032	1070	1165	1165	1175	1982-E1 Ch. 20
4136. (Sub)	397					
4153. (Sub)	543, 1008	579	908-911, 1029	911, 1029	995,1048, 1073	
4163. (Sub)	472	634	738	738		1982 Ch. 54
4199.	219	404	846	863	331	1982 Ch. 89
4200. (Sub)	662	722	960	961		1982 Ch. 98
4201. (Sub)	506, 1008	604, 724	924,1029, 1033	924, 1034	995, 1073	1982-E1 Ch. 9
4216. (Sub)	1076	1183	1229-1231, 1238	1241	1194, 1207	1982-E1 Ch. 18
4250.	1340		1340-1349, 1355-1365, 1366-1374, 1376-1378	1378, 1379		PV 1982-E1 Ch. 35
4285. (Sub)	1039	1088	1169	1169	1175	PV 1982-E1 Ch. 19
4307.	331	584	738	739		1982 Ch. 79
4313.	300	510	739	739		1982 Ch. 70
4329.	472					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4354.	543	604	669	822		1982 Ch. 203
4366.	543	634	838	859		1982 Ch. 138
4369. (Sub)	1074	1089	1125- 1130	1130, 1311	1123,1134, 1159,1249, 1276-1311	PV 1982-E1 Ch. 50
4370. (Sub)	183					
4399.	1255					
4402.	1255					
4418. (Sub)	603	778	848	863		1982 Ch. 201
4421.	181					
4425.	503	562	809	810		1982 Ch. 219
4436.	472	666	817	817	623	1982 Ch. 199
4437. (Sub)	472	539	571	571		1982 Ch. 20
4438. (Sub)	472	539	627	820		1982 Ch. 194
4439. (Sub)	472	539	573			
4449. (Sub)	472	550	626	820		1982 Ch. 139
4460. (Sub)	472	622	739	739		1982 Ch. 55
4461. (Sub)	472	550	707-711	711		1982 Ch. 129
4464. (Sub)	393	510	626	818		1982 Ch. 157
4466.	472	666	740	740		1982 Ch. 152
4468.	397	510	570,660, 668	660, 819		1982 Ch. 135

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4469. (Sub)	425	510	522	660	660	1982 Ch. 19
4470.	536	579	841,904	905		
4471.	393					
4473.	473					
4474.	473	634	740	740		1982 CH. 56
4476.	397					
4477.	473	562	751	751	753	1982 Ch. 156
4481. (Sub)	473	550	670	821		1982 Ch. 213
4483.	473	634	962-964	964		1982 Ch. 140
4484.	536	617	715	715		1982 Ch. 71
4488.	393	510	740	740		1982 Ch. 96
4489.	506					
4491.	393	580	741	741		1982 Ch. 72
4492.	473, 1008	634	914- 919, 1035	919, 1036, 1158	995, 1158	1982-E1 Ch. 12
4493.	331	635	741	741		1982 Ch. 150
4494. (Sub)	506	635	742,822	822		
4501. (Sub)	506	605	742	742		1982 Ch. 130
4502. (Sub)	831	913	954	954		1982 Ch. 136
4505. (Sub)	397	551	742	742		1982 Ch. 73
4506.	506	617	717	717		1982 Ch. 74

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4507.	662	914	961	962		1982 Ch. 148
4510. (Sub)	393	551	598	599		1982 Ch. 7
4512.	397	580	748	749		1982 Ch. 141
4516.	473	580				
4517.	503	635				
4522.	506	666	965	965		1982 Ch. 197
4526. (Sub)	543					
4544.	365	623	811	811		1982 Ch. 215
4545. (Sub)	503	554	743	743		1982 Ch. 142
4546. (Sub)	503					
4547.	503	555	743,964	964		1982 Ch. 143
4548.	473,1256					
4549.	506	577	713	713		1982 Ch. 57
4550. (Sub)	543	667	969	970		1982 Ch. 155
4551.	503	551	743,964	965		1982 Ch. 106
4554.	503					
4557.	503	635	814-816	816		
4558.	507	577	714	714	537	PV 1982 Ch. 80
4559.	503	638	757	758, 959	903,932, 946,958	1982 Ch. 214
4561. (Sub)	507	617	846,906	906		1982 Ch. 162

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4562. (Sub)	543	605	757	757		1982 Ch. 161
4566. (Sub)	507	667	744	744		PV 1982 Ch. 81
4569.	507	617	744	744		1982 Ch. 218
4570.	507					
4571.	503	562	716	716		1982 Ch. 75
4578.	698,1032					
4584.	397	552	669	822		1982 Ch. 132
4585.	1255					
4586. (Sub)	603,1032	791			1160	
4597. (Sub)	543	605				
4599.	507	562	744	744		1982 Ch. 217
4602.	507	563	745	745		1982 Ch. 105
4603. (2nd Sub)	698, 1032	946	1196-1198	1315		1982-E1 Ch. 42
4605. (Sub)	583	725	955	955		1982 Ch. 128
4607.	507	650				
4609. (Sub)	1032	1184			1207	
4612.	583					
4616.	698,1201					
4617. (Sub)	536					
4619.	507	577	845	862		1982 Ch. 97
4626.	507					
4630.	507					

HISTORY OF SENATE BILLS

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NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4634.	1076	1171	1242	1242		1982-E1 Ch. 28
4635.	397	510	572	572		1982 Ch. 12
4636.	397	511	573	573		1982 Ch. 13
4638.	397	511	818	818		1982 Ch. 144
4640.	397, 1201	511,754, 1214	827, 1231	828, 1232	573, 995	1982-E1 Ch. 52
4644.	507	617	745	745		1982 Ch. 58
4647.	507					
4648. (Sub)	508	651				
4655. (Sub)	473	651	842	860		
4660.	508	639	750	750		1982 Ch. 221
4661.	537	785	805,989	989	844	
4663. (Sub)	721	831	925-929	929	753	1982 Ch. 222
4675. (Sub)	508, 1008	605	669, 1010	819, 1010, 1207	996,1048, 1159,1198, 1205	1982-E1 Ch. 24
4680.	508	563	955	955		1982 Ch. 133
4681.	508	618	745	745		1982 Ch. 154
4683. (Sub)	508	584			814	
4684. (Sub)	508	585,755	856	857		1982 Ch. 153
4686.	698					
4690.	508	552	959	959		1982 Ch. 145
4691.	544	640	843	860		1982 Ch. 100

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4692. (Sub)	508	577	746	746		1982 Ch. 77
4697. (Sub)	503	587	752	752		1982 Ch. 107
4701.	508	607	749	749		1982 Ch. 151
4703.	544	756				
4705.	831, 1032	1071	1170	1242,1244, 1419	1419	1982-E1 Ch. 45
4706.	397	552	845	862		1982 Ch. 82
4707. (Sub)	544					
4708. (Sub)	544	618	711	712		1982 Ch. 32
4713.	504	552	626-627	820		1982 Ch. 33
4716. (Sub)	537	552	626	819		1982 Ch. 35
4717.	544, 1009	618	955, 1010	956, 1011, 1249	996,1159, 1202,1246- 1249	1982-E1 Ch. 32
4718.	508	620	746	747		1982 Ch. 134
4726.	583					
4728. (Sub)	544	588	808	808		1982 Ch. 216
4729.	544					
4733.	473, 1074	791	839,854- 855,1170, 1173-1175	855	996	
4736.	544					
4743.	504					
4745.	544					

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4748.	544, 1017	578	713, 1018	714, 1018, 1204	903,932, 1049,1073, 1175,1202	1982-E1 Ch. 26
4749.	544	640	846	863		1982 Ch. 99
4750. (Sub)	544	607	747	747		1982 Ch. 212
4755. (Sub)	545					
4769.	545	699,914				
4775. (Sub)	545	641	750	750		1982 Ch. 202
4786. (Sub)	621	725	837	838		1982 Ch. 204
4819. (Sub)	537					
4824. (Sub)	545, 1076	667, 834	929,1076, 1172	930, 1172	753, 805	1982-E1 Ch. 21
4826. (Sub)	509	553	626	821		1982 Ch. 101
4831.	509	641	691-696	718-720		1981 Vetoed
4841. (Sub)	1039	1071	1243	1243		1982-E1 Ch. 27
4846. (Sub)	545	667	747	747		1982 Ch. 76
4852. (Sub)	545	668	748	748		1982 Ch. 102
4859. (Sub)	583	653	842	860		1982 Ch. 211
4864. (Sub)	699,1076	1171	1243	1243		1982-E1 Ch. 31
4877.	662					
4905.	545	588	813	814		1982 Ch. 104
4909.	537	641	845	861		1982 Ch. 108
4917. (Sub)	545	654	840	859		1982 Ch. 160

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
4919.	545	563	748	748		1982 Ch. 59
4944. (Sub)	621,1032	791				
4947.	545	642	966	967		1982 Ch. 109
4952.	509	607	759	759		1982 Ch. 103
4956.	545	607	759	759		1982 Ch. 210
4963. (Sub)	662, 1009	757	852- 854, 1011	854, 1011, 1050	996, 1049	1982-E1 Ch. 3
4972.	1382		1382, 1416-1418	1418		1982-E1 Ch. 49
4992.	1201		1258	1258		1982-E1 Ch. 41
4995.	1382		1382,1414	1414		1982-E1 Ch. 44
4996.	1421		1421	1421		1982-E1 Ch. 43
5006. (Sub)	1255					
5007. (Sub)	1255	1314	1329, 1330-1337	1338, 1384	1374, 1384	1982-E1 Ch. 51
5013.	1433		1433			
5014.	1433		1433, 1437	1437		1982-E2 Ch. 9
5015.	1433		1433, 1437	1437		1982-E2 Ch. 10
5016.	1433		1433, 1509	1509		1982-E2 Ch. 12
5021.	1440		1440-1465, 1481-1505	1465, 1506	1480	1982-E2 Ch. 11
5030.	1509		1510	1510		1982-E2 Ch. 13
5032.	1509		1510	1510		1982-E2 Ch. 14

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
5033.	1512		1512	1512		1982-E2 Ch. 15

HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
110.	327					
115.	546,1076	668	1413	1413		
116.	546					
118. (Sub)	912		912,965	965		
120. .	546					
124. (Sub)	546					

HISTORY OF SENATE JOINT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
111. (2nd Sub)	663, 1201	757			1376	
142.	546					
143.	699,1033	834	1208-1211	1315		

HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE

NO.	Intro. & 1st R'd'g	Committee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action	Action by Gov.
123.	2		2	3	20	
126.	87		92	92		
127.	173,247	608	956-957	957		
128.	184		184	184		
129.	184		184	184		
130.	187		187	187		
131.	188		188	188		
134. (Sub)	603	700				
135.	546					
137. (Sub)	1121					
138.	1121		1243	1243		
139.	699					
140.	546					
142.	721					
143.	1121		1194-1196	1196		
145.	1201					
146.	902					
147.	1255					
148.	996		996	996		
149.	1002		1002	1002		
150.	1003		1003	1003		
151.	1432		1432,1435	1435		
152.	1514		1514	1514		

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- Unclaimed property, uniform act, enacted: Sub HB 1128

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- Unemancipated minor, parents, guardian notification: Sub HB 226

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- Speeding violations, insurance abstract exclusion: Sub SB 3518

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- Motor vehicles, fire fighters, WSP, law enforcement officers, official business: *SB 3233, CH 52 (1982)
- Motor vehicles, liability coverage required: Sub HB 892
- Motor vehicles, mandatory liability coverage: HB 1057
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- Vocational rehabilitation, workers' compensation provisions: *HB 454, CH 63 (1982)

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- Accountancy board, licensing department placement: HB 778
- Accountancy board, termination, sunset act: SB 4626, *Sub HB 875, CH 223 (1982)
- Audits, public agencies, private accounting firms, use: Sub HB 857
- Capitol purchase and development, expenditure purposes modified: *HB 1253, CH 8 E2 (1982)
- CPA examinations, entrance, budget reduction: *Sub HB 811, CH 14 E2 (1981)
- Registration requirements: HB 549

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- Community social services, created: HB 1235
- Convention and trade center, bond issuance: *Sub HB 1015, CH 34 (1982)
- Employment security, administrative contingency fund: HB 1097
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- Mental health contributions, established, voluntary contributions: HB 1204
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- Optician's, balance transferred, general fund: *Sub HB 778, CH 227 (1982)
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- Surveys and maps, DNR, created: *Sub HB 1012, CH 165 (1982)
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- Winter recreation parking, recreational program: HB 386, *SB 3737, CH 11 (1982)

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 Drug trafficking enforcement unit, created: 2nd Sub HB 603
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 Natural resources department, geoduck management plan: *HB 1162, CH 180 (1982)
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- Unemployment compensation provisions: HB 1009, *Sub SB 4216, CH 18 E1 (1982)

BEER AND BREWERIES

- Containers, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
- Draft beer dispensing equipment, advertising: HB 1090, *Sub HB 1063, CH 85 (1982)
- Instruction, licensees, permitted, conditions specified: *SB 4748, CH 26 E1 (1982)
- Redefined, strong beer defined: *Sub HB 571, CH 39 (1982)
- Sales, state liquor stores, authority removal: Sub HB 1039
- Sales, surtax imposed: *SB 4250, CH 35 E1 (1982)

BEVERAGES (See also LIQUOR AND LIQUOR CONTROL BOARD)

- Businesses, jukebox selections, payment, wagering permitted: HB 1123
- Containers, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
- Minimum age qualifications: Sub HB 148
- Sales, use taxes, exemptions removed, as specified: HB 1199

BICYCLES

- Redefined, limited access roadways use: *Sub SB 4460, CH 55 (1982)

BIDS AND BIDDING

- Audits, public agencies: Sub HB 857
- Bonds, issuance, legal services, competitive bid requirement: HB 925
- Counties, competitive requirements: Sub HB 957
- Counties, equipment purchases, minimum requirements increased: HB 979, *SB 4690, CH 145 (1982)
- Fire protection districts, minimum requirement increased: Sub HB 890
- Joint operating agencies, materials, equipment: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Port districts, construction: Sub HB 956
- Public utility districts: HB 958
- Public works contracts: *Sub SB 4200, CH 98 (1982)
- Timber, public lands, business inventory definition: HB 821

BIRTH

- Abortion, medical care services prohibited: Sub HB 756
- Abortion, unemancipated minor, notification: Sub HB 226

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

BIRTH—cont.

Adoption, consent, written, revocation: Sub HB 451
 Adoption, outside U.S., certificates modified: HB 1025

BLIND COMMISSION, STATE

Abolished, responsibilities transferred, social and health services department: Sub HB 799

BLIND PERSONS

Educational facilities, programs, DSHS contracts: HB 1189
 School, superintendent, persons over 18, authorized: Sub HB 148

BLOOD BANKS

Regulations imposed, civil penalty: HB 872

BOARDS – LOCAL

Boundary review, incorporation review: *SB 3446, CH 220 (1982)
 Community colleges, trustees, removal: HB 361
 Drug abuse, counties, provisions stated: HB 850, *HB 410, CH 193 (1982)
 Hospitals, trustees, residency outside largest city: HB 1173
 Review, historic property, tax assessment: 2nd Sub SB 3025

BOARDS – STATE (See also ADMINISTRATIVE PROCEDURE ACT)

Accountancy, members, qualifications, duties: HB 549
 Accountancy, pharmacy, licensing department: HB 778
 Accountancy, termination, sunset act: SB 4626, *Sub HB 875, CH 223 (1982)
 Automotive policy, abolished, duties transferred: Sub HB 858, *Sub HB 762, CH 163 (1982)
 Commodity, persons over 18, service allowed: Sub HB 148
 Community economic revitalization, created: *2nd Sub HB 906, CH 40 E1 (1982)
 Dental disciplinary, dental hygienist member: HB 831
 Dental examiners, dental hygienist members, public members added: HB 830
 Drug enforcement policy review, created: 2nd Sub HB 603
 Geographic names, members: HB 527
 Information systems and office automation standards, created: HB 941
 Local investment, created, investment pool fund created: SB 4743
 Members, terms eligibility, redistricting effect: *Sub HB 1165, CH 30 E1 (1982)
 Natural resources, state land sales: HB 908
 Physical therapy: Sub SB 3332
 Podiatry, established; licensure provisions: *Sub HB 174, CH 21 (1982)
 Practical nurse examiners: Sub HB 274
 Productivity, created: *Sub HB 837, CH 167 (1982)

BOATS

Excise tax, 1% of fair market value: HB 1241

BONDS

Capital facilities: *Sub HB 1230, CH 48 E1 (1982)
 Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
 Convention and trade center: *Sub HB 1015, CH 34 (1982)
 Corrections department, facilities: *Sub HB 808, CH 23 E1 (1982)
 Debt information, state, local, public access: HB 1207
 Debt limit, statutory, bond issues: Sub HB 806
 Federal-aid apportionments, highway construction: *Sub SB 4469, CH 19 (1982)
 Federal-aid apportionments, payments in advance: HB 877
 Hotel, motel, tax receipts, municipal park facilities: SB 3318
 Housing finance commission, creation, low-income persons: HB 1175
 Irrigation districts, works construction projects: HB 198
 Issues, legal services, competitive bid requirement: HB 925
 Jails, space requirements: HB 774
 Joint operating agencies, elections: *HB 1174, CH 88 (1982)
 LID's, formation, financing: HB 519

* – Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

BONDS—cont.

- Measures, information, voters' pamphlet: Sub HB 11
- Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
- School community recreation districts, conditions: HB 1155
- School districts, pupil transportation vehicles: Sub HB 869
- School plant facilities aid: Sub HB 770
- Sewer lines, new, referendum 39 bond moneys: SB 4877
- Solid waste disposal districts, establishment: *Sub HB 221, CH 175 (1982)
- State government, issuance, citizens' bonds provisions: HB 1082

BONNEVILLE POWER ADMINISTRATION

- Electrical transmission lines, EFSEC authority: Sub HB 912
- Joint operating agencies, bond authorization: *HB 1174, CH 88 (1982)

BOUNDARIES (See also BOUNDARY REVIEW BOARDS)

- Congressional, established: Sub HB 786, *Sub HB 787, CH 2 (1982)
- Legislative districts, 12 and 13, modified: HB 1085
- Legislative districts, 40 and 42, modified: HB 1188
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)

BOUNDARY REVIEW BOARDS

- Annexation, appeal: HB 984
- Cities, incorporation proceedings review: *SB 3446, CH 220 (1982)

BOXING

- Commission, purpose stated, boxing definition: Sub HB 858

BREMERTON

- Frances Haddon Morgan children's center: *SB 4199, CH 89 (1982)

BRIDGES (See also TOLL BRIDGES AND TOLLS)

- Pasco-Kennewick bridge, across Columbia River: 2nd Sub SB 3027
- Railroad trespassers, employee liability immunity: HB 114, *SB 4512, CH 141 (1982)

BRITISH COLUMBIA

- Lake Osoyoos international water control structure, acquisition: *Sub SB 4846, CH 76 (1982)
- Sales tax, exemption permits: HB 1201

BROKERS

- Real estate, initial contact, disclosure required: HB 1073
- Surplus line, licensing provision: *Sub HB 902, CH 181 (1982)

BUDGETS (See also APPROPRIATIONS; see specific budgets)

- Allotments, state agencies, leave-without-pay program: Sub HB 1226, HB 1228
- Balanced, each biennium, state duty: Sub HJR 13
- Budget and accounting act, enforcement: HB 1016, HB 1018
- Budget stabilization account, establishment: Sub HJR 13
- Budget stabilization account, transfer requirements: *SB 4250, CH 35 E1 (1982)
- Budget stabilization account, transfers, deposits: *Sub HB 1109, CH 36 E1 (1982)
- Capital, 1981-83 biennium, modified: *Sub HB 1230, CH 48 E1 (1982)
- Federal, balanced, petitioned: HJM 1, SJM 105, HJM 27
- Fiscal responsibility, state government operation: HJR 13
- Governor's proposals, automatic reductions: HB 1250
- Operating, 1981-83 biennium, modified: *Sub SB 4369, CH 50 E1 (1982), *SB 5033, CH 15 E2 (1982)
- Operating, 1981-83 biennium, reduced: *Sub HB 811, CH 14 E2 (1981) PV, *SB 5021, CH 11 E2 (1982)
- Transportation department, modified: HB 856, *SB 4549, CH 57 (1982), *Sub SB 4369, CH 50 E1 (1982)

BUILDINGS

- Artworks, correctional facilities: HB 1225

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

BUILDINGS—cont.

Construction, tax prohibitions: HB 1219
 Energy audits, state facilities: *2nd Sub HB 658, CH 48 (1982)
 Energy efficient thermal, lighting standards: SB 3310, SB 4113
 Fire insurance policies, high risk areas: *SB 3297, CH 110 (1982)
 Renewable energy systems, publicly owned: *SB 3156, CH 159 (1982)
 Thurston county courthouse, former, demolition: Sub HB 1176

BUSES/BUSING - SCHOOLS

Bonds, pupil transportation vehicles: Sub HB 869
 Fees, pupil transportation, traffic safety: HB 776
 Student transportation, apportionment: *Sub SB 4675, CH 24 E1 (1982)
 Student transportation, five-year contracts: *Sub HB 849, CH 191 (1982)
 Transit drivers, operators, assaults, penalty: *SB 4483, CH 140 (1982)

BUSINESS AND PROFESSIONS

Advertising, retail sales tax, definition inclusion: HB 1203
 Alcohol beverage business, investors: SB 4729, HB 1059, *Sub HB 1063, CH 85 (1982)
 Alcoholic beverage business: HB 862, Sub SB 4546
 Architects, services, retail sales tax: HB 1227
 Athletic agencies, regulation requirements: HB 1157
 Attorneys, services, retail sales tax: HB 1227
 BIDCO, business and industrial development corporations act: Sub HB 977
 Business inventory, property tax exemption: HB 791, HB 948
 Business inventory, tax credit freeze: Sub SB 4370
 Charity gift annuity, regulation: HB 938
 Counties, unincorporated areas, licensing: SB 4421
 Engineers, services, retail sales tax: HB 1227
 Export assistance centers, establishment: Sub HB 1141
 Funeral directors, general revisions: *Sub HB 871, CH 66 (1982)
 Higher education institutions, private sector services: Sub HB 1216
 Insurance premium tax, increased: SB 4578
 Inventories, 1983 tax credit, delayed: *SB 5016, CH 12 E2 (1982)
 Labor skills, joint select committee created: HCR 45
 Land, purchase, commercial, industrial: HB 717
 Licensed retail, persons eligible: HB 792
 Licenses, fees, business, professional: *Sub SB 4561, CH 162 (1982)
 Manufacturing firms, investment tax deferrals: SB 4402
 Motor vehicles, owners' lists: *SB 4544, CH 215 (1982)
 Regulatory fairness act: *HB 385 CH 6 (1982)
 Sales tax, specified professional, personal services: HB 785
 Salmon eggs, excess, disposition: SB 4612
 Salmon hatcheries, private nonprofit: HB 1079
 Service districts, counties, establishment authorized: HB 846
 Small business innovators' opportunity program: *HB 1013, CH 44 (1982)
 Tax credits, economically depressed areas: HB 889
 Unfair business practices, depositions: *Sub SB 3913, CH 137 (1982)
 Veterinarians, regulations revised: *SB 4718, CH 134 (1982)
 Waste, low-level, radioactive, 30% excise tax: HB 1256
 Wildlife handling: *SB 4466, CH 152 (1982)

BUSINESS LICENSE CENTER

General revisions:, *Sub HB 878, CH 182 (1982)
 Grocery stores, pilot program, CED: HB 818, *Sub HB 878, CH 182 (1982)

CAMPERS AND CAMPING (See also STATE PARKS)

Spaces, use, nonpayment: HB 1170

CAMPING CLUBS

Contracts, regulations revised, civil actions: *HB 1017, CH 69 (1982)

CANADA

Bennett, W. R., Premier, British Columbia, address,
joint session: *HCR 34 (1982) pp.260-263

CANCER

Cigarette tax, increased, research: HB 885

CAPITOL BUILDINGS AND GROUNDS

Legislative facilities, joint committee, created: Sub SB 3328

CAPITOL LAKE

Rehabilitation, phase III: *Sub HB 1230, CH 48 E1 (1982)

CAPITOL PURCHASE AND DEVELOPMENT ACCOUNT

Expenditure purposes modified: *HB 1253, CH 8 E2 (1982)

CARD GAMES - SOCIAL

Cardrooms, playing time fees increased: Sub HB 1102

Participation, persons under 21, gambling law prohibition: HB 904

CARNIVALS

Rides, operators, liability insurance: HB 1198

CEMETERIES (See also FUNERALS AND FUNERAL DIRECTORS)

Districts, public disclosure requirements: *Sub HB 40, CH 60 (1982)

Endowment care, prearrangement care contracts: HB 1161

Veterans' memorial parks, cemeteries: HB 836

CENTENNIAL COMMISSION

Celebration, planning request: HCR 38

Established, membership, responsibilities, annual report, appropriation: *HB 183, CH 90
(1982)

CENTRAL WASHINGTON UNIVERSITY

Appropriations reduced: HB 1257

Tuition, fee surcharge: HB 1260, SB 5029

CERTIFICATES

Banks, trust companies, authorized: HB 1074

Birth, adopted, born, outside U.S.: HB 1025

Deposit, state funds, authority: *SB 4507, CH 148 (1982)

Emergency medical technicians, period extended: *SB 3495, CH 53 (1982)

Excise tax registration certificate: *HB 765, CH 4 E1 (1982)

Mobile homes, liens, property tax deferrals: Sub HB 647

Mobile homes, sales, both spouses, title signature: SB 3100

Plumbers, regulations revised: HB 1061

Resale, personal, nontransferable, as specified: HB 1043

State treasurer, allocation alteration: *SB 4506, CH 74 (1982)

CHARITABLE ORGANIZATIONS

ASB funds, use: *Sub SB 3617, CH 231 (1982)

Center for voluntary act: *Sub HB 923, CH 11 E1 (1982)

Charity gift annuity businesses, regulation: HB 938

Gambling activities, chapters: Sub HB 1102

Licensing requirements, removed, financial reporting: *Sub HB 778, CH 227 (1982)

CHECKS AND MONEYORDERS

Commission merchants, bad check provision: *Sub SB 4437, CH 20 (1982)

Health care coverage, endorsement, joint: *Sub HB 824, CH 168 (1982)

Unlawfully issued, payment time period reduced: HB 988, *SB 4366, CH 138 (1982)

CHILD ABUSE

Child abuse and neglect council, established: *3rd Sub HB 179, CH 4 (1982)

Schools, abuse prevention programs: HCR 35, Sub SCR 134

CHILD ABUSE—cont.

Sexual abuse, commencement of prosecution: HB 682
 Shelter care, court requirements: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

CHILDREN

Adoption, contested termination cases: Sub HB 451
 Assault, victims, under 16, reporting requirement: HB 151
 Child abuse program funding, erotic materials excise tax: SB 5025
 Children and families division, DSHS, plans development: HB 1209
 Child safety restraints, standards adoption: Sub HB 288, SB 4548
 Child support guidelines special commission: HB 1163
 Custody, joint, conditions prescribed: Sub HB 905
 Day care homes, private family, regulated: SB 3007
 Day care services, homes, standards: Sub HB 860
 Diagnostic services, specified, court referral: HB 781
 Grandparents, visitation rights: HB 1049
 Handicapped, education opportunity provisions: HB 1045
 Legislators, contracts, governmental units: Sub HB 1121
 Pre-elementary, education: HB 951
 Schools, public, attendance exemption: Sub HB 996
 Sexual abuse, prosecution, five year limitation: HB 682
 Social and health services financial responsibility act, enacted: Sub HB 759
 Support obligations, parents, courts: HB 1163
 Support obligations, unemployment compensation benefits, disclosure: HB 809, HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)

CHINA

Trade agreements, appropriate negotiations: *HJM 14 (1982)

CHIROPRACTIC SERVICES

Health care insurance coverage: *Sub HB 824, CH 168 (1982)
 Public assistance recipients: *Sub SB 4285, CH 19 E1 (1982)
 Sexual victimization, clients, rules proscribing: HCR 44

CHORE SERVICES - PUBLIC ASSISTANCE

Appropriation: SB 5010
 Clients, income, remaining: Sub HB 1105
 Clients, remaining income provision: *Sub SB 4369, CH 50 E1 (1982)

CHURCHES

Children, public school attendance exemption: Sub HB 996
 Clergy, hospital trustee boards: HB 1173
 Liquor licenses, applications, proximity: HB 1005, *Sub HB 1063, CH 85 (1982)

CIGARETTES AND TOBACCO PRODUCTS

Inmates, not provided unless earned: *Sub HB 811, CH 14 E2 (1982) PV
 Unfair cigarette sales act, renamed: *HB 1092, CH 16 E1 (1982)

CITIES AND TOWNS

Administrative inspections, warrants: Sub SB 4494
 Amusement devices, as defined, taxes: HB 1202
 Annexation, petitions, elections: *SB 3446, CH 220 (1982)
 Appearance of fairness doctrine: *Sub HB 1011, CH 229 (1982)
 Audits, costs, state auditor municipal corporations: HB 943, HB 944
 Audits, private accounting firms, use permitted: Sub HB 857
 Bicycles, facilities, construction: *Sub SB 4460, CH 55 (1982)
 Bonds, issuance, legal services: HB 925
 Candidates, municipal office: HB 439
 Codes, filing, one copy requirement: *Sub HB 58, CH 226 (1982)
 Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
 Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)

CITIES AND TOWNS—cont.

- Construction, reconstruction: Sub HB 312, HB 817, Sub HB 1014, *SB 4972, CH 49 E1 (1982)
- Contracts, municipal officers, limits increased: SB 4570
- Convention and trade facilities: *Sub HB 1015, CH 34 (1982)
- Corrections facilities, local, operations: HB 1143
- Cultural arts, stadium, and convention districts: *Sub HB 1156, CH 22 E1 (1982)
- Debts, information, public access: HB 1207
- Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Discrimination, ordinances against: HB 100
- EFSEC, membership, discretionary: Sub HB 912
- Electrical inspection fees: HB 1178
- Electric streetcar operation: *SB 4952, CH 103 (1982)
- Employees, retirement: HB 1139
- Enterprise zone act, passage petitioned: HJM 22
- Environmental coordination, permit processing: Sub HB 634
- Environmental coordination procedures act: *HB 859, CH 179 (1982)
- Fireworks, permit fees: *Sub HB 1149, CH 230 (1982)
- Harbor areas, leases, proceeds: HB 1108
- Hazardous materials, incidents: HB 816, *HB 883, CH 172 (1982)
- Health departments, combined city and county: *SB 4354, CH 203 (1982)
- Heating systems, authorized: 2nd Sub SB 3033
- Hotel, motel, special tax receipts: SB 3318
- Improvements, public, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
- Land, division, plat approval: Sub HB 1134
- Legal-size media, defined, use prohibited: Sub HB 895
- Levies, annual limit, approval, as specified: HB 1219
- LID's, aquatic plant control, lake, river restoration: HB 1172
- LID's, delinquent assessment: *Sub HB 823, CH 91 (1982)
- LID's, formation, financing, procedures modified: HB 519
- Local sales and use tax account: *Sub HB 773, CH 4 E2 (1981)
- Master program adjustments: Sub HB 1098, HB 1104
- Metropolitan park districts: Sub HB 709
- Motor freight carriers, commercial zones: *SB 4484, CH 71 (1982)
- Motor freight carriers, for hire, multiple taxation: *HB 752, CH 169 (1982)
- Motor vehicle excise tax, specified: HB 817, HB 1219, SB 4421, *SB 4972, CH 49 E1 (1982)
- Motor vehicles, owners' lists: *SB 4544, CH 215 (1982)
- Oil drilling, controlled, Puget Sound, straits: HB 9
- Pasco-Kennewick bridge, across Columbia River: 2nd Sub SB 3027
- Pension system boards, investment authority: *Sub HB 696, CH 166 (1982)
- Planning agencies, hearings, notice: Sub HB 1007
- Police courts, appellate procedures revised: SB 4489
- Pornography, civil actions: Sub HB 626
- Property interests, relief, governmental acts: *Sub HB 1006, CH 232 (1982)
- Public disclosure, small jurisdictions: *Sub HB 40, CH 60 (1982)
- Public power, contracts: HB 1233
- Public utilities, projects, expected revenues: *HB 554, CH 24 (1982)
- Purchase contracts, awarding: HB 1231
- Records, public, preservation: *HB 357, CH 36 (1982)
- Residential density, building restrictions: HB 1184
- Sales, use taxes, local: Sub HB 1140, *Sub SB 4859, CH 211 (1982)
- Short-term obligations, issuance authorized: *Sub SB 4728, CH 216 (1982)
- St Helens, eruption, recovery operations: *Sub SB 4510, CH 7 (1982)
- Streets, closures, prior publication: HB 979, *SB 4690, CH 145 (1982)
- Streets, roads, improvements: HB 1114
- Tax credits, economically depressed areas: HB 889, HJR 18

CITIES AND TOWNS—cont.

- Tax powers prescribed: *SB 4972, CH 49 E1 (1982)
- Traffic infractions, parking: *SB 4492, CH 12 E1 (1982)
- Urban arterial board, council members: *Sub HB 452, CH 209 (1982)
- Utilities, locally regulated, rates, charges, study: HB 1210
- Vacation leave, unused, accrued: *Sub SB 5007, CH 51 E1 (1982)
- Waste disposal facilities, referendum 39: *Sub HB 1230, CH 48 E1 (1982)
- Work release facilities, location, zoning: HB 1236, *Sub HB 1230, CH 48 E1 (1982)

CITIZENS AND CITIZENSHIP

- Citizen councilors commission, established: Sub HB 995
- Public utility districts, decision-making, citizen participation: HB 1210

CIVIL ACTIONS AND PROCEDURES

- Adoption, consent, approval, person under 72 hours old, prohibited: Sub HB 451
- Agricultural activities, forest lands: HB 1113
- Arbitration, decisions, not appealed: HB 1028
- Arbitration, jurisdiction: *HB 897, CH 122 (1982)
- Arbitration, mandatory, dollar amount increased: *Sub HB 887, CH 188 (1982)
- Attorneys' fees, reasonable: HB 863
- Budget and accounting act, enforcement: HB 1016
- Camping clubs, contracts: *HB 1017, CH 69 (1982)
- Children, joint custody, conditions: Sub HB 905
- Child safety restraints: Sub HB 288, SB 4548
- Garnishment, writ received: SB 4516
- Grandparents, visitation rights: HB 1049
- Hazardous materials, incidents: HB 816
- Human rights commission: Sub HB 926
- Hunting, interference with, prohibited: HB 1055
- Improper governmental actions, disclosure: *Sub HB 593, CH 208 (1982)
- Irrigation districts, adverse possession: Sub HB 932
- Irrigation districts, damages: Sub SB 3363
- Judgments, interest rate increased: HB 867, *HB 916, CH 198 (1982)
- Judgments, satisfaction requirements: HB 1029
- Jury trial, demand, filing fee increased: HB 982
- Malicious prosecution, grounds revised: HB 563
- Manufactured products, duplication: HB 1166
- Mobile home landlord-tenant act: HB 917
- Mortgages, satisfaction, damages: SB 4517
- Notaries public, fees increased: HB 866
- Political advertising, violations: HB 472
- Pornography, moral nuisances, defined: *Sub HB 626, CH 184 (1982)
- Prevailing parties, expenses award provision: SB 3112
- Property interests, relief, governmental acts: *Sub HB 1006, CH 232 (1982)
- Property, personal, execution and attachment exemptions: HB 1193
- Travel trailers, campers, delinquent tax: HB 992
- Unfair business practices: *Sub SB 3913, CH 137 (1982)
- Warrants, administrative inspections: Sub SB 4494

CIVIL SERVICE

- Employees, state, higher education, FTE limitations specified: HB 1234
- Employment numbers, state government, regulation requirements: HB 1022
- Health departments, combined city and county: *SB 4354, CH 203 (1982)
- Higher education personnel board: HB 1234
- Personnel activities, administrative, technical: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982)
- Sheriffs, investigation demand, hearings: *SB 4680, CH 133 (1982)
- State park rangers, entry level: *SB 4307, CH 79 (1982)
- Vacation leave, unused, accrued: 2nd Sub HB 95, *Sub SB 5007, CH 51 E1 (1982)

CLAIMS

Industrial insurance, self-insurers, denial notice requirements: *SB 4133, CH 20 E1 (1982)

CLALLAM COUNTY

Olympic county, established: HB 1153

Superior court, judge, one additional: *Sub SB 4449, CH 139 (1982)

CLAMS

Farmers, catch, sales direct to consumer: HB 1071

Harvesting leases, maximum annual increase rate: *Sub SB 4824, CH 21 E1 (1982)

Razor, harvest: *HB 894, CH 178 (1982)

COAL AND COAL PRODUCTS

Coal slurry pipelines, certain, EFSEC authority: Sub HB 912

Mineral rights, unused, surface property owner: HB 1181

CODE REVISER

Double amendments, corrected: *HB 884 CH 10 (1982)

Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)

Statutes, rules, session laws, house, senate journals distribution: *SB 4717, CH 32 E1 (1982)

CODES (See also STATE BUILDING CODE)

Education, miscellaneous changes: HB 1135

Local government, filing: *Sub HB 58, CH 226 (1982)

School, miscellaneous changes, obsolete sections removal: Sub SB 4707

COGENERATION FACILITIES

EFSEC, thermal, geothermal, cogeneration plants: Sub HB 912

Heating systems, municipal corporations: 2nd Sub SB 3033

Tax credit, facilities under construction: HB 1190

Tax credit, increased: *SB 3394, CH 2 E1 (1982)

Tax credit, limitation provisions: SB 4607

COLLECTION AGENCIES

Collection agency board, abolished: Sub HB 778

Debts, public, governmental agencies: SB 4476 *HB 844, CH 65 (1982)

COLLECTIVE BARGAINING (See LABOR AND LABOR RELATIONS)**COLLEGES AND UNIVERSITIES**

Appropriations reduced: HB 1257

Assistance programs, federal funds: HJM 26, *Sub SJM 118 (1982)

Facilities, acquisition, research: *Sub HB 810, CH 41 (1982)

Facilities, living in, legal age: Sub HB 148

Faculty-student contact hours, increase directed: HB 1228

Idaho, tuition, fees reciprocity: HB 461

Insurance, proprietary coverage: HB 933

Private sector services, purchase authorized: Sub HB 1216

Semester system, uniform, state-wide: HB 1154

The Evergreen State College, abolished: HB 793

Tuition, fee surcharge: HB 1260, SB 5029

COLUMBIA RIVER

Columbia River Gorge commission, abolished: HB 858

Pasco-Kennewick Bridge, preservation: 2nd Sub SB 3027

COMMERCE AND ECONOMIC DEVELOPMENT

Advisory council, abolished: Sub HB 858, *Sub HB 762, CH 163 (1982)

Business and industrial development corporations act: Sub HB 977

Businesses, economically depressed areas, date: HB 889, HJR 18

Centennial commission, established: *HB 183, CH 90 (1982)

Cherry Point, shoreline, state-wide economic significance designation: *SB 4831 (1982) V

Community economic revitalization board: *2nd Sub HB 906, CH 40 E1 (1982)

COMMERCE AND ECONOMIC DEVELOPMENT—cont.

- Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
- Cultural arts, stadium, convention districts: Sub HB 1156
- Energy fair '83, OFM appropriation: HB 1062, *Sub SB 4369, CH 50 E1 (1982)
- Enterprise zone act, passage petitioned: HJM 22
- Export assistance centers, establishment: Sub HB 1141
- Expo '86, joint select committee, established: *SCR 138 E1 (1982)
- Forest products recovery act: HB 1037, HB 1148, *Sub SB 4663, CH 222 (1982)
- Grocery stores, pilot program: HB 818, *Sub HB 878, CH 182 (1982)
- Housing, industrial development bonds: HB 1197
- Industrial development revenue bonds: HB 1138
- Investments, economic stimulation: *HCR 37 E1 (1982)
- Navigation projects, federal: *SJM 115 E1 (1982)
- Occupational information service: *Sub HB 920, CH 43 (1982)
- Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
- Public investment task force, established: SCR 147
- Sewer lines, new, referendum 39 bond moneys: SB 4877
- Small business innovators' opportunity program: *HB 1013, CH 44 (1982)
- State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)
- Timber sales, procedures: *HCR 42 (1982)
- Tourism, industrial promotion: HB 813
- Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)

COMMISSIONERS

- Port commissioners, three-member districts: HB 57, HB 797, *SB 4425, CH 219 (1982)
- Port districts, classification changes: HB 1044
- Special purpose districts, merged: *SB 4905, CH 104 (1982)

COMMISSIONS

- Age qualifications, 18, allowed: Sub HB 148
- Apple, assessment, apple processing, levying authorized: HB 909
- Asian-American affairs, membership: *HB 942, CH 68 (1982)
- Auctioneer's licensing act: *Sub HB 436, CH 205 (1982)
- Blind, abolished: Sub HB 799
- Centennial, established, membership: *HB 183, CH 90 (1982)
- Child support guidelines special, established: HB 1163
- Citizen councilors, established: Sub HB 995
- Columbia River Gorge, abolished: HB 858
- Expo '74, abolished: *Sub HB 762, CH 163 (1982)
- Gambling, provide lottery service: HB 1240
- Housing finance, creation: HB 1175
- Law revision, created: *HB 826, CH 183 (1982)
- Marine employees', created: HB 1107, HB 1232, Sub SB 4609
- Members, terms eligibility, redistricting effect: *Sub HB 1165, CH 30 E1 (1982)
- Reciprocity, abolished, functions transferred: *Sub HB 778, CH 227 (1982)
- Redistricting, establishment: HJR 14, Sub SJR 108
- State lottery, appointment: *HB 1251, CH 7 E2 (1982)
- Traffic safety, governor's absence: *Sub HB 946, CH 30 (1982)
- Traffic safety, transferred, office of community programs: HB 913, Sub SB 4586
- Utilities and transportation, name change: SB 3898
- Voting boundary commission act: Sub HB 786, *Sub HB 787, CH 2 (1982)
- Winter recreation, established: *Sub SB 4841, CH 27 E1 (1982)
- Worlds fair, century 21 exposition, abolished: *Sub HB 762, CH 163 (1982)

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- Advisory, licensing department director: *Sub HB 778, CH 227 (1982)
- Aquatic lands, joint legislative: *Sub SB 4824, CH 21 E1 (1982)
- Blind commission, abolished: Sub HB 799
- Child abuse, select, report p. 971

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- Child development and mental retardation center advisors, abolished: *Sub HB 762, CH 163 (1982)
- Child welfare and day care advisory: *Sub HB 848, CH 118 (1982)
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- Data processing select, created: HCR 51
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- Educational policies, structure: *SB 3609, CH 33 E1 (1982)
- Emergency management select, establishment: SCR 142
- Expenditures, joint legislative: HJR 13
- Expo '86, joint select, established: *SCR 138 E1 (1982)
- Financial institutions, joint, created: *Sub HB 833, CH 3 (1982)
- Financial responsibility, residential and nonresidential services, joint: *Sub SB 4418, CH 201 (1982)
- Grass burning research advisory, abolished: Sub HB 858
- Indian affairs, joint select: HCR 43
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- Legislative facilities, joint, created: Sub SB 3328
- Legislative, statutes, rules: *SB 4717, CH 32 E1 (1982)
- Mandated health care, select committee: *Sub SCR 137 (1982)
- Milwaukee road select, establishment, members, duties: *SCR 143 E1 (1982)
- Motorcycle safety education advisory: *Sub SB 4692, CH 77 (1982)
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- Open meetings, governing body: Sub HB 213
- Physical therapists examining: Sub SB 3332
- Poison prevention packaging act: Sub HB 858, *Sub HB 762, CH 163 (1982)
- Radioactive waste, joint select, report: SCR 140
- Retirement advisory, created: *Sub HB 762, CH 163 (1982)
- Shoreline management select, created: HCR 39
- Solid waste advisory, membership increased: *SB 4909, CH 108 (1982)
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- Telephone systems, joint select: *HCR 33 (1982),
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- Timber contract price indexing advisory: *Sub SB 4663, CH 222 (1982)
- Urban, rural, racial disadvantaged advisory, abolished: *Sub HB 762, CH 163 (1982)
- Voting machine, abolished, duties transferred: *HB 572, CH 40 (1982)
- Winter recreation advisory, created: HB 386, *SB 3737, CH 11 (1982)
- WPPSS monitoring, special, created: HCR 46, SCR 145
- Youth development and conservation, abolished: *Sub HB 762, CH 163 (1982)

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- Apple processing, assessment, apple commission: HB 909
- Trucking industry, partial deregulation, study: Sub SCR 107
- Weight tickets, certified, duplicate copy: HB 901

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- Hazardous materials, incidents: HB 816, *HB 883, CH 172 (1982)
- Hazardous materials, transportation: *HB 457, CH 83 (1982)

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 Parenting education program, tuition waivers: *Sub HB 811, CH 14 E2 (1981) PV
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- Building permits, residential, population: HB 1184
- Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
- Development charges, cities, towns, counties: Sub HB 312, HB 817, Sub HB 1014, *SB 4972, CH 49 E1 (1982)
- Development charges, prohibited without approval: HB 1219
- Energy conservation, renewable energy sources: 2nd Sub SJR 111
- Federal-aid apportionments: HB 877
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- Housing, industrial development bonds: HB 1197
- Investment tax deferrals, economic assistance act: *HB 1247, CH 6 E2 (1982)
- Jails, space requirements: *Sub HB 774, CH 12 E2 (1981)
- Natural resources department, capital projects: Sub HB 1075, *Sub HB 1230, CH 48 E1 (1982)
- Nuclear plants 4, 5, construction: HB 1212
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- Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
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- School facilities, damage, natural disaster: HB 1020
- Sewer lines, new, referendum 39 moneys: SB 4877
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- State route 504, renamed Spirit Lake memorial highway: *SB 4706, CH 82 (1982)
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- Blood banks, regulations imposed: HB 872
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 Public works, prevailing wages, posting requirements: *Sub SB 4501, CH 130 (1982)
 Public works, reserved funds, requirements: *Sub HB 931, CH 170 (1982)
 Unemployment compensation, hairdressers, barbers: HB 1009, *Sub SB 4216, CH 18 E1 (1982)
 Work permits, L&I rules: HB 795

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Agricultural cooperative associations, foreign: *Sub HB 1041, CH 45 (1982)
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 Camping clubs, regulations: *HB 1017, CH 69 (1982)
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IRA's, public employees, payroll deductions: *Sub SB 4697, CH 107 (1982)
 Mental health contributions account, established: HB 1204
 Reports, public disclosure: *Sub SB 3249, CH 147 (1982)
 Unemployment compensation, wages: HB 1208

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Counseling services, volunteer offenders: HB 1106
 Counties, alcoholism, drug abuse programs: HB 850, *HB 410, CH 193 (1982)
 Drug trafficking enforcement: 2nd Sub HB 603
 Drunk drivers, mandatory imprisonment: Sub SB 4819, *HB 600, CH 47 E1 (1982)
 Forfeiture, expenses, excess moneys: *Sub HB 15, CH 171 (1982)
 Habitual criminal status, redefined: HB 569
 Health curriculum, 7th, 8th grades, effects, course requirements: SB 3724
 Imitation, defined, crimes, penalties specified: Sub HB 820, *Sub HB 15, CH 171 (1982)
 Insurance, group health, disability, drug dependency: HB 1146

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Convention and trade center, council created: SCR 116

Convention and trade facilities, financing provisions: *Sub HB 1015, CH 34 (1982)

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Convention and trade center, nonprofit, bond issuance: *Sub HB 1015, CH 34 (1982)

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Artworks, correctional facilities, building: HB 1225

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Escapees, arrest warrants, issuance authorized: HB 970

Facilities, bond issuance authorized: *Sub HB 808, CH 23 E1 (1982)

Facilities, local, operations: HB 1143

Furloughs, inmates, maximum period: HB 966

Guilty, mentally ill, sentence requirements: HB 873

Inmates, labor, state facilities, maintenance work: HB 768

Inmates, leaves of absence authorized: HB 967

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Interstate corrections compacts, participation authorized: HB 969

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Prisoners, sentenced from other jurisdictions, confinement: HB 968

Prison overcrowding reform act: *HB 922, CH 228 (1982)

Prison riots, disturbances, plans: *Sub HB 965, CH 49 (1982)

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Regulations revised, practice redefined: *2nd Sub HB 378, CH 225 (1982)

Unemployment compensation provisions: HB 1009; *Sub SB 4216, CH 18 E1 (1982)

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Archaeology and historic preservation advisory: HB 960

Child abuse and neglect, established: *3rd Sub HB 179, CH 4 (1982)

Cities, counties, members, commissioners, urban arterial board membership permitted: *Sub HB 452, CH 209 (1982)

Commerce and economic development department: Sub HB 858, *Sub HB 762, CH 163 (1982)

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Energy facility site evaluation, powers, duties, membership: HB 912

Farm workers shelter, created: HB 1051

Hearing aid advisory, abolished, functions transferred: HB 1150, *Sub HB 778, CH 227 (1982)

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- Salmon release—recapture advisory, created: SB 4612
- Tax advisory, membership, duties, revised: *SB 4992, CH 41 E1 (1982)
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- Administrative inspections, warrants: Sub SB 4494
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- Audits, costs: HB 943
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- Citizen councilors commission, established: Sub HB 995
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- Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
- Community mental health program: HB 853
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- Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
- Community social services act: HB 976
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- Cultural arts, stadium, convention districts: *Sub HB 1156, CH 22 E1 (1982)
- Debts, information, public access: HB 1207
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- Development charges, prohibited: Sub HB 312, HB 817, Sub HB 1014, HB 1219, *SB 4972, CH 49 E1 (1982)
- Drinking deterrence and treatment fund, established: HB 1164, HB 1229
- EFSEC, membership, discretionary: Sub HB 912
- Engineers, road, expenditure records: HB 979, SB 4690
- Environmental coordination procedures act: Sub HB 634, *HB 859, CH 179 (1982)
- Fire protection districts, contiguous: Sub SB 3512
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- Funds, investment with state funds: SB 4743
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- Hazardous materials, incidents: *HB 883, CH 172 (1982)
- Health departments, combined city/county: *SB 4354, CH 203 (1982)
- Heating systems, authorized: 2nd Sub SB 3033
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- Island library districts, authorized: *HB 999, CH 123 (1982)
- Land, division, preliminary plats: Sub HB 1134
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- Legal—size media, defined: Sub HB 895
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- Local service districts, territory withdrawing: HB 1136
- Motor vehicle funds, distribution: HB 595, *SB 4713, CH 33 (1982)
- Motor vehicles, owners' lists, availability: *SB 4544, CH 215 (1982)
- Oil drilling, controlled, Puget Sound, straits: HB 9
- Olympic, established, Clallam/Jefferson: HB 1153
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- Sexual abuse, children, actions, time limits: *Sub SB 4461, CH 129 (1982)
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- Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV

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- Defendants, arraignment: HB 1192
- Drivers' licenses, occupational, regular license revoked: Sub SB 4153, *HB 537 V
- Engineers, land surveyors, violations: *HB 442, CH 37 (1982)
- Escapes, arrest warrants, issuance: HB 970
- Firearms, dangerous weapons, school premises: Sub HB 898, *HB 600, Ch 47 E1 (1982) PV
- Fire, failure to report, crime defined: SB 3292
- Firewood, fuel use, grading required: HB 1094
- Firewood harvesting, transportation: Sub HB 643

CRIMES AND CRIMINAL PROCEDURES—cont.

- Food fish, shellfish vessels, gear, taking, molesting, penalty prescribed: *HB 46, CH 14 (1982)
- Forest land, fire, closed season, prohibited: HB 223
- Funeral directors, violations: *Sub HB 871, CH 66 (1982)
- Game laws, big game, endangered species: *Sub HB 834, CH 31 (1982)
- Gasoline prices, display violations: HB 881
- General revisions: *HB 600, CH 47 E1 (1982) PV
- Go-go dancers: HB 801
- Guilty but mentally ill, sentence requirements: HB 873
- Habitual criminal status, redefined: HB 569
- Hunting, interference with, prohibited: HB 1055
- Insanity defense eliminated: HB 1258
- Insanity, reason for felony acquittal: HB 494
- Insurance, licensees, felony convictions: *Sub HB 902, CH 181 (1982)
- Medical assistance program, eligibility: *2nd Sub HB 557, CH 3 E2 (1981) PV
- Motor vehicles, insurance, coverage: HB 344
- Obscene materials, definitions, prohibitions: HB 927
- Police courts, city, appeals: SB 4489
- Police dog handlers, civil immunity: *HB 289, CH 22 (1982)
- Pornography, moral nuisances: *Sub HB 626, CH 184 (1982)
- Prostitution, minors: Sub HB 293
- Rape, sentencing revisions: *Sub HB 874, CH 192 (1982)
- Real estate, time-sharing penalties: 2nd Sub SB 3775
- Sexual abuse, patients: HB 954
- Shellfish pots, lifting: *HB 46, CH 14 (1982)
- Speeding violations: Sub SB 3518
- State patrol, conviction records release: *Sub SB 4775, CH 202 (1982)
- Substances, smelling, inhaling fumes, unlawful: SB 4736
- Threats, governor, immediate family, successors: *HB 745, CH 185 (1982)
- Transit drivers, operators, assaults on: *SB 4483, CH 140 (1982)
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)
- Unemployment compensation, gross misdemeanor conviction: *Sub SB 4216, CH 18 E1 (1982)
- Uniform crime reports program: *Sub HB 1130, CH 125 (1982)
- Utility meters, tampering with: HB 1034
- Witnesses, spouse, disqualification: *SB 4474, CH 56 (1982)

CRIME VICTIMS

- Children, assault, reporting requirement: HB 151
- Compensation, continuation, criminal penalty assessments: *2nd Sub HB 828, CH 8 E1 (1982)
- Compensation, continuation, L&I, conditions prescribed: HB 794
- Crime victim compensation fund: SB 3301
- Crime victims assistance fund, created, L&I administration: HB 514
- Drinking deterrence and treatment fund, established: HB 1164, HB 1229

CRIMINAL JUSTICE TRAINING COMMISSION

- Training facilities, lease limitation removed: *HB 1066, CH 124 (1982)
- Uniform crime reports program, appropriation: *Sub HB 1130, CH 125 (1982)

DAMAGES

- Hazardous materials, transportation: HB 816, *HB 883, CH 172 (1982)
- Irrigation districts, official duties: Sub SB 3363
- Malicious prosecution, grounds revised: HB 563
- Manufactured products, duplication, prohibited: HB 1166
- Mortgages, satisfaction, damages: SB 4517
- Motor vehicles, insurance, mandatory liability: Sub HB 892, HB 1057
- Property interests, relief from governmental acts: *Sub HB 1006, CH 232 (1982)

DAMAGES—cont.

School facilities, damage: HB 1020, *Sub HB 462, CH 38 (1982)

DAMS

Fish protective devices, installation: HB 1096

DATA PROCESSING

Authority, abolished, duties transferred: 2nd Sub HB 941

Automation equipment, vehicle title: *SB 4549, CH 57 (1982)

Information processing, hardware, software, employment security department acquisition:

HB 1117, *SB 4919, CH 59 (1982)

Information systems management reorganization task force, created: HB 411

Select committee, created, members, duties: HCR 51

DAY CARE CENTERS AND SERVICES

Cost-shared day care program, DSHS appropriation: *Sub SB 4369, CH 50 E1 (1982) PV

Cost-shared day care program, DSHS funds availability: Sub HB 1105

Homes, nonregistration, operation, misdemeanor: HB 758

License fee exemption: HB 1238

Private, family, regulated, registration: SB 3007

Schools, pre-elementary school children, education: HB 951

Standards, licensing, registration: Sub HB 860

DAY TRAINING CENTERS

Printing services, state agencies, use required: *Sub HB 1024, CH 164 (1982)

DEAF PERSONS

Educational facilities, programs, DSHS contracts: HB 1189

Hearing aids, licensees regulations: Sub HB 1150

School, superintendent, persons over 18, authorized: Sub HB 148

DEALERS

Commission merchants: *Sub SB 4438, CH 194 (1982)

Mobile homes, travel trailers, campers, used: HB 1206

Used vehicles, sales, emission control testing: HB 915

DEATH AND DYING

Autopsies, sudden death, mandatory: Sub HB 1069

Benefits, industrial insurance, adjustments: *SB 4133, CH 20 E1 (1982)

Deceased persons, list, voter registration purposes: Sub HB 148

Railroad trespassers, employee liability: *SB 4512, CH 141 (1982)

DEBT (See also INTEREST AND USURY)

Capital facilities, bond issuance: *Sub HB 1230, CH 48 E1 (1982) PV

Public, collection agencies, governmental agencies: SB 4476, *HB 844, CH 65 (1982)

Sales, use tax payments, bad debts: HB 991

Sales, use tax payments, worthless debts: *SB 4250, CH 35 E1 (1982) PV

State, indebtedness restrictions, as specified: HB 1027

State, limitation: HJR 22

State, local, information, public access: HB 1207

State, principal, interest payments: HB 1035

State, statutory limit, bond issues: Sub HB 806

DECALS - MOTOR VEHICLES

Parking, disabled persons, use: SB 3001

DEDUCTIONS

IRA's, public employees, payroll deductions authorized: *Sub SB 4697, CH 107 (1982)

PERS, allowances, deductions: Sub HB 733

PERS, group insurance or plans, authorized: *SB 4468, CH 135 (1982)

Property taxes, mortgage interest tax deductions: HJM 21

School districts, first class, bonds: *Sub HB 849, CH 191 (1982)

TRS, allowances, deductions, payment: Sub HB 733

DEDUCTIONS—cont.

TRS, monthly, group insurance or health care benefit plans: HB 989, *SB 4468, CH 135 (1982)

DEEDS

Local improvement districts, delinquent assessment foreclosure: *Sub HB 823, CH 91 (1982)

DENTAL HYGIENISTS

Dental disciplinary board, member added: HB 831

Dental examiners board, membership, qualifications: HB 830

Insurance coverage, checks, joint endorsements: *Sub HB 824, CH 168 (1982)

DENTISTRY

Anesthesia, nondental, dentists use allowed: *Sub HB 1047, CH 51 (1982)

Dental examiners board, dental hygienist members: HB 830, HB 831

Dental insurance, checks, joint endorsements required: *Sub HB 824, CH 168 (1982)

DEPARTMENTS

Emergency services, termination, sunset act: SB 4626, *Sub HB 875, CH 223 (1982) PV

Veterans affairs, termination, sunset act: SB 4626, *Sub HB 875, CH 223 (1982) PV

DEVELOPMENTAL DISABILITIES

Children, as specified, diagnostic services: HB 781

Day care services, homes, standards: Sub HB 860

Nursing homes, care: *Sub HB 760, CH 11 E2 (1981)

Statute, definition, Public Law 91-517, repealed: *HB 851, CH 224 (1982)

DISABLED PERSONS

Blind commission, abolished: Sub HB 799

Children, diagnostic services, court referral: HB 781

Handicapped children, education opportunity: HB 1045

Sheltered workshops, day training centers: *Sub HB 1024, CH 164 (1982)

Specified disease insurance act: Sub HB 815

Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)

Vehicles, ride-sharing, as defined: *Sub SB 4545, CH 142 (1982)

Veterans, disabled, prisoners of war, license plates: Sub SB 3035, *HB 623, CH 115 (1982)

Vocational rehabilitation, workers' compensation provisions: *HB 454, CH 63 (1982)

DISASTER AREAS

Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV

School districts, unforeseen events occurrence: HB 676

St. Helens, disaster relief, select committee: *SCR 126 E2 (1981)

DISCOVERY PARK

Final disposition, historic preservation exemption: 2nd Sub SB 3027

DISCRIMINATION

Cities, first class, ordinances against: HB 100

Clubs, class H liquor license: Sub HB 1063

DISEASES

Livestock, sales, disease free: *SB 4436, CH 199 (1982)

Pesticides use, emergency measures, aerial application: Sub HB 994, *Sub SB 4684, CH 153 (1982)

Specified disease insurance act: Sub HB 815

Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)

DISPLACED HOMEMAKERS

Children, tuition, fees, priority: Sub HB 784

Program, extended, postsecondary education council requirements: *HB 286, CH 15 E1 (1982)

DISSOLUTION OF MARRIAGE

Children, joint custody: Sub HB 905
 Grandparents, visitation rights, court petition provision: HB 1049
 Proceedings, commencement, certification requirement: HB 1028

DISTRICT COURTS (See also JUSTICE COURTS)

Arbitration, jurisdiction, district, superior courts: *HB 897, CH 122 (1982)

DISTRICTS

Business inventory, property tax exemption: HB 791
 Cemetery, electors, commissioners, public disclosure: *Sub HB 40, CH 60 (1982)
 Cultural arts, stadium, convention: *Sub HB 1156, CH 22 E1 (1982)
 Debts, information, public access: HB 1207
 Development charges: HB 1219
 Hospital: *HB 955, CH 84 (1982)
 Island counties, as specified: HB 1180, *Sub HB 58, CH 226 (1982)
 Island library, authorized: *HB 999, CH 123 (1982)
 Legislative, 12 and 13, modified: HB 1085
 Legislative, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
 Legislative, 40 and 42, modified: HB 1188
 Levy limit, determination provisions modified: Sub HB 17
 Public power, contracts, operating agencies: HB 1233
 School community recreation: HB 1155
 Service, counties, capital: HB 846
 Short-term obligations bonds: *Sub SB 4728, CH 216 (1982)
 Solid waste disposal: *Sub HB 221, CH 175 (1982)
 Taxing, audits: HB 943, HB 944
 Tax powers prescribed: *SB 4972, CH 49 E1 (1982)

DIVIDENDS

Mutual savings banks, interest: *Sub SB 3679, CH 5 (1982)

DOCKS

Upland owners, recreational use: *Sub SB 4824, CH 21 E1 (1982)

DOGS (See also ANIMALS)

Cruelty, fighting, penalties: *HB 621, CH 114 (1982)
 Police dog handlers, civil immunity: *HB 289, CH 22 (1982)

DRILLING

Oil and gas conservation committee: Sub SB 4944
 Oil and gas joint committee formation: *HCR 50 E1 (1982)
 Puget sound, straits, controlled: HB 9

DRIVERS' LICENSES

Drivers' ed, traffic safety courses: HB 800
 Driving record abstracts, fees increased: HB 1023
 Motor vehicles, nonresident violator: *Sub SB 4750, CH 212 (1982)
 Motor vehicles, ownership: HB 839
 Occupational, license revoked: Sub SB 4153, *HB 537 V
 Traffic safety education account: HB 779
 Unlicensed, vehicle impoundment: *Sub SB 3549 CH 8 (1982)

DRIVERS - MOTOR VEHICLES

Accidents, official business: *SB 3233, CH 52 (1982)
 Alcohol-related traffic offenses, study: HB 1147, HB 1229
 Convicted, mandatory imprisonment: Sub SB 4819, *HB 600, CH 47 E1 (1982) PV
 Drinking deterrence and: HB 1164
 Instructors, persons over 18: Sub HB 148
 Insurance, coverage, required: HB 344
 Transit drivers, operators, assaults: *SB 4483, CH 140 (1982)

DRIVERS - MOTOR VEHICLES—cont.

Unlicensed, vehicle impoundment: *Sub SB 3549 CH 8 (1982)
 Vehicle forfeiture provisions: Sub SB 4153

DRUGS - PRESCRIPTION

Legend drugs, defined: HB 1167
 Nursing homes, medication orders: *Sub HB 852, CH 120 (1982)
 Schools, common, private, oral medication: *2nd Sub SB 3541, CH 195 (1982)

EASTERN WASHINGTON UNIVERSITY

Appropriations reduced: HB 1257
 Travel, reduction specified: *Sub HB 811, CH 14 E2 (1981) PV
 Tuition, fee surcharge: HB 1260, SB 5029

ECOLOGY, DEPARTMENT OF

Cities, incorporation proceedings: *SB 3446, CH 220 (1982)
 Containers, beverage, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
 EFSEC, actions, SEPA exempt: Sub HB 912
 Environmental coordination procedures act: Sub HB 634, *HB 859, CH 179 (1982)
 Lake Osoyoos, water control structure, acquisition: *Sub SB 4846, CH 76 (1982)
 Local government master program adjustments: Sub HB 1098, HB 1104
 Milwaukee road select committee: *SCR 143 E1 (1982)
 Model litter control and recycling program: *Sub HB 875, CH 223 (1982) PV
 Rivers, stream sites, preexisting condition restoration: HB 1010
 Sanitary landfills, operation cessation: HB 1171
 Sewer lines, new, referendum 39 bond moneys: SB 4877
 Shoreline hearings board, contested case hearings: Sub HB 914
 Shorelines, wetlands, classification: *SB 3916, CH 13 E1 (1982)
 St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
 Wastewater outfall, operation: *Sub HB 811, CH 14 E2 (1981) PV
 Wastewater treatment outfall, establishment: HB 802
 Water rights determination, appeals: *Sub HB 449, CH 15 (1982)

ECONOMIC ASSISTANCE ACT

Authority, sunset termination: HB 1101
 Investment tax deferrals, repayment schedule: *HB 1247, CH 6 E2 (1982)

EDUCATIONAL SERVICE DISTRICTS

Direct student service programs: *HB 401, CH 46 (1982)
 Funds, apportionment schedule modified: *Sub SB 4502, CH 136 (1982)
 Funds, deposit, special purpose funds: HB 188, SB 3242
 Industrial insurance, self-insurers, authorized: Sub SB 4648
 Members, election provisions implemented: HB 1083
 Property sales, proceeds, not certified: *HB 964, CH 176 (1982)
 School districts, certain, accounts, records, inspection: HB 188, SB 3242
 Self-insurance groups: *Sub HB 849, CH 191 (1982)

EDUCATION BOARD, STATE

Composition, duties: HJR 16
 Excellence in education act: HB 919
 Hygiene, instruction requirement repealed: SB 3240
 Members, election provisions implemented: HB 1083
 Members, terms, qualifications clarified: *HB 1084, CH 7 E1 (1982)
 Officers, election requirement: *Sub SB 4917, CH 160 (1982)
 Physical education, instruction preparation: SB 3240, Sub SB 4707
 Superintendent of public instruction, appointment: HJR 16
 Superintendent of public instruction, position redefined: HB 1129, *Sub SB 4917, CH 160 (1982)

EDUCATION (See also **HIGHER EDUCATION; SCHOOLS AND SCHOOL DISTRICTS**)

ASB funds, use: *Sub SB 3617, CH 231 (1982)
 Attendance exemption, public schools: Sub HB 996
 Attendance incentive program, buy-back: HB 803
 Bond issues, certain: HB 997
 Certificated employees, contracts, status: Sub HB 790
 Children, pre-elementary education: HB 951
 Code, miscellaneous changes: HB 1135, Sub SB 4707
 Committee, temporary, policies: *SB 3609, CH 33 E1 (1982)
 Direct student service programs: *HB 401, CH 46 (1982)
 Drugs, alcohol, effects, 7th, 8th grade health courses: SB 3724
 Excellence in education act: HB 919
 Fact-finding procedures: SB 3405
 Fees, pupil transportation, traffic safety: HB 776
 Handicapped children, education opportunity: HB 1045
 Hygiene, instruction requirement repealed: SB 3240
 Insect stings, shot administration: HB 928
 Juveniles, institutional, detention duties specified: Sub HB 1089
 Kindergarten, school year defined: *SB 3587, CH 158 (1982)
 Labor skills, economy, joint select committee created: HCR 45
 Levies, excess, forty percent validation: HJR 20
 Levies, excess, maintenance and operation: HB 998
 Levies, 106% levy lid, state exclusion: HB 312
 Miscellaneous revisions: *Sub HB 849, CH 191 (1982)
 National history contest, participation: *SCR 146 (1982)
 School districts, unforeseen events occurrence: HB 676
 School funds, excess, investment authority revised: HB 771
 Schools, four-day week, pilot program: HB 1000
 Student learning objectives, identification: Sub HB 770
 Students, completion, public assistance: *2nd Sub HB 756, CH 10 E2 (1981)
 Vocational agricultural education unit, SPI: HB 1221
 Vocational education commission, abolished: HB 1040

ELECTIONS

Budget, balanced, each biennium, state duty: Sub HJR 13
 Budget, federal, balanced: SJM 105
 Candidates, indigent, filing: HB 945
 Constitution, obsolete provisions, removed: SJR 142
 Current use valuation, lands with water: HB 1191, HJR 24
 Debt, state, limitation: HJR 22
 Education board, state: HB 1083, HJR 16
 Education board, state, members, terms: *HB 1084, CH 7 E1 (1982)
 Energy conservation, renewable energy sources: 2nd Sub SJR 111
 Improvements, public, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
 Income tax, net, ability to pay basis: HB 1194, HJR 26
 Initiatives, referendums, clarification: Sub SB 3895
 Initiatives, referendums, petition requirements: *Sub HB 663, CH 116 (1982)
 Initiatives, referendums, petitions, normal size paper: Sub SB 3645
 Intangible property, property income, tax imposition: HJR 15
 Irrigation districts, contracts: HB 198
 Island counties, as specified: HB 1180, *Sub HB 58, CH 226 (1982) PV
 Joint operating agencies, elections: *HB 1174, CH 88 (1982)
 Land, granted, sales restrictions, certain, elimination: HJR 19
 Law practice, legislature definition authorized: HJR 23
 Legislative districts, 12 and 13, modified: HB 1085
 Legislative districts, 40 and 42, modified: HB 1188
 Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)

ELECTIONS—cont.

- Metropolitan municipal corporations: HB 1152
- Municipal, candidates, filing: HB 439
- Oil drilling, Puget Sound, straits: HB 9
- Port districts, classification changes: HB 1044
- Port districts, large, certain: HB 57, HB 797
- Port districts, 500,000 population reached: *SB 4425, CH 219 (1982)
- Precincts, division provisions revised: HB 1159
- Public disclosure, small jurisdictions: SB 4554, *Sub HB 40, CH 60 (1982)
- Real estate sales, documents preparation, nonlawyers: HJR 25
- School community recreation districts: HB 1155
- School directors, running at large: Sub HB 279
- Schools, bond elections, certain: HB 997
- Schools, excess levy elections: HJR 20
- Schools, excess levy maintenance and operation: HB 998
- Sewer, water districts, annexations: *SB 4064, CH 146 (1982)
- Special purpose districts, merged: *SB 4905, CH 104 (1982)
- State government, number, regulation: HB 1022
- State lottery, establishment: 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
- Superintendent of public instruction, removed from executive department: HJR 17
- Tax credits, businesses, depressed areas, authorized: HJR 18
- Tribal claims, rights: HJM 20
- Voting boundary commission act: Sub HB 786, *Sub HB 787, CH 2 (1982)
- Voting by mail, certain precincts: HB 1003
- Voting devices, approval authority transferred: *HB 572, CH 40 (1982)

ELECTRICIANS AND ELECTRICAL INSTALLATION

- Employment, definition revised: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
- Water heaters, thermostats, requirements: Sub HB 973

ELECTRICITY AND ELECTRICAL POWER

- Cogeneration facilities, tax credit approval: HB 1190
- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation: SB 4607
- Consumption and use tax: SB 5013
- Electrical inspection fees: HB 1178
- Electrical transmissions lines, EFSEC authority: Sub HB 912
- Inverted rate structure, required, UTC responsibilities: SB 4616
- Light and power business, gross income tax modified: *SB 5014, CH 9 E2 (1982)
- Public power contracts, budget limitation: HB 1233
- Rates, proposed increases: HB 1091
- Utility services, counties, unincorporated areas: HB 1219

EMERGENCIES

- Emergency management, select committee: SCR 142
- Ferry system, emergency operation: HB 952
- Hazardous materials, incident command agencies: *HB 883, CH 172 (1982)
- Highways, county roads, closure: HB 979, *SB 4690, CH 145 (1982)
- Insect stings, shot administration: HB 928
- Open meetings, meeting sites: Sub HB 213

EMERGENCY MEDICAL TECHNICIANS

- Certification period extended: *SB 3495, CH 53 (1982)

EMERGENCY SERVICES, DEPARTMENT OF

- Records, public, preservation: *HB 357, CH 36 (1982)
- Termination, date established: SB 4626, *Sub HB 875, CH 223 (1982)

EMPLOYEES (See also PUBLIC EMPLOYEES)

- Employment incentive act: HB 1065

EMPLOYEES—cont.

Farm workers shelter council, created: HB 1051
 Health care services, premiums: *SB 3795, CH 149 (1982)
 Railroad trespassers, employee liability: *SB 4512, CH 141 (1982)
 Shared work, unemployment compensation: HB 1076, SB 4745

EMPLOYERS

Employment incentive act: HB 1065
 Job service program, reemployment provisions: HB 1097

EMPLOYMENT AGENCIES

Athletic agencies, regulation requirements: HB 1157
 Employment agency advisory committee: *Sub HB 778, CH 227 (1982)

EMPLOYMENT SECURITY, DEPARTMENT OF

AFDC recipients, able, as defined, work requirement: HB 812
 Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
 Displaced homemaker program: *HB 286, CH 15 E1 (1982)
 Employment service program, appropriation: HB 1117, *SB 4919, CH 59 (1982)
 Job service program, reemployment provisions: HB 1097
 Occupational information service: *Sub HB 920, CH 43 (1982)
 State advisory council on unemployment compensation: HB 1033, SB 4661, *Sub SB 4216,
 CH 18 E1 (1982)
 Work experience and training project: HB 812

EMPLOYMENT

Appropriation, employment security department: HB 1117, *SB 4919, CH 59 (1982)
 Athletic agencies, defined, regulation requirements: HB 1157
 Certificated employees, contracts: Sub HB 790
 Community work experience pilot projects: Sub HB 812
 Contractors, definition revised: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
 Employment incentive act: HB 1065
 Explosives, sales, gift, disposal: HB 22
 Forest products recovery act: HB 1037, HB 1148, *Sub SB 4663, CH 222 (1982)
 FTE equivalents, hiring practices: *2nd Sub HB 124 V
 Hiring policies, state agencies: Sub HB 1226
 Industrial development revenue bonds, nursing homes: HB 1138
 Industrial insurance, course of employment: Sub HB 1127
 Job service program: HB 1097
 Minors, under 14, judicial permission: HB 1058
 Occupational information service: *Sub HB 920, CH 43 (1982)
 Reemployment formula, public employees: Sub HB 763
 Shared work, unemployment compensation benefits: HB 1076, SB 4745
 State government, regulation requirements: HB 1022
 State parks, rangers, entry level: *SB 4307, CH 79 (1982)
 State patrol, conviction records release: *Sub SB 4775, CH 202 (1982)
 Timber sales, procedures: *HCR 42 (1982)
 Vocational rehabilitation, workers' compensation: *HB 454, CH 63 (1982)

ENERGY CONSERVATION AND ENERGY RENEWABLE RESOURCES

Buildings, publicly owned, leased, renewable energy: *SB 3156, CH 159 (1982)
 Buildings, state, energy audits: Sub HB 658
 Coal slurry pipelines: Sub HB 912
 Cogeneration facilities, tax credit approval: HB 1190
 Cogeneration facilities, tax credit: SB 4607, *SB 3394, CH 2 E1 (1982)
 Electrical transmission lines: Sub HB 912
 Energy allowance, public assistance: *HB 980, CH 127 (1982)
 Facilities, state, energy audits: *2nd Sub HB 658, CH 48 (1982)
 Irrigation districts, residential structures: SB 3059, *HB 832, CH 42 (1982)
 Lighting, thermal standards: SB 3310, SB 4113

ENERGY CONSERVATION AND ENERGY RENEWABLE RESOURCES

—cont.

- Loans, state, local governments, authorized: 2nd Sub SJR 111
- McNeil Island correctional facility: *Sub HB 808, CH 23 E1 (1982)
- Oil and gas conservation committee: Sub SB 4944
- Oil and gas severance and conservation tax act: HB 814
- Speed limit, maximum, national: HB 576
- Water heaters, temperature setting requirements: Sub HB 973

ENERGY FACILITIES AND ENERGY FACILITY SITE EVALUATION COUNCIL

- Cogeneration facilities, tax credit approval: HB 1190
- Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
- Cogeneration facilities, tax credit limitation: SB 4607
- Powers, duties, membership, fees: Sub HB 912
- Sales, use taxes, local: Sub HB 1140, *Sub SB 4859, CH 211 (1982)
- Thermal power plants, certain: HB 975

ENERGY FAIR '83

- Appropriation, OFM, general fund reversion: HB 1062, *Sub SB 4369, CH 50 E1 (1982)

ENGINEERS AND ENGINEERING

- County road, supervision, private construction: HB 979, *SB 4690, CH 145 (1982)
- Professional engineers, land surveyors, registration board: *HB 442, CH 37 (1982)
- Services, retail sales tax inclusion: HB 1227

ENTERTAINERS

- Go-go dancers: HB 801
- Industrial insurance, coverage: HB 1054, Sub HB 1127

ENVIRONMENTAL IMPACT STATEMENTS

- Cities, incorporation proceedings: *SB 3446, CH 220 (1982) PV
- EFSEC, applications, independent consultants: Sub HB 912
- Hydraulic projects, final EIS issuance: HB 978
- Schools, closures, exemption: Sub HB 849

ENVIRONMENT

- Cities, incorporation proceedings, SEPA exemption: *SB 3446, CH 220 (1982) PV
- Containers, beverage, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
- EFSEC, actions, SEPA exempt: Sub HB 912
- Environmental coordination procedures act: Sub HB 634, *HB 859, CH 179 (1982)
- Solid waste disposal sites, operation cessation: HB 1171
- St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
- Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)

EQUIPMENT COMMISSION AND EQUIPMENT

- Bids, counties, equipment purchases: HB 979, *SB 4690, CH 145 (1982)
- Child safety restraints: Sub HB 288, SB 4548
- Joint operating agencies, materials, equipment: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Lights, sirens, law enforcement vehicles: *Sub SB 4826, CH 101 (1982)
- Motorcycles, requirements: *Sub SB 4692, CH 77 (1982)
- State patrol chief absence: *SB 4551, CH 106 (1982)

ESTATES

- Financial institutions, joint tenant accounts: HB 1187

EXAMINATIONS

- Audits, public agencies: Sub HB 857
- Children, public school attendance exemption: Sub HB 996
- Dental examiners board, responsibilities: HB 830
- Emission, used vehicles, sold by dealers, exemption: HB 915
- Health maintenance organizations, financial procedures: HB 930, *SB 4701, CH 151 (1982)

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

EXAMINATIONS—cont.

- Insurance, examining bureaus, licensed: HB 230
- Insurers, domestic, schedule revised: *Sub HB 902, CH 181 (1982)
- Real estate brokers, salespersons: HB 1073
- Standardized student testing program: Sub HB 770

EXEMPTIONS

- Administrative hearings office purview: *HB 907, CH 189 (1982)
- Bonds, state government, issuance: HB 1082
- Cattle assessments, increased: *HB 947, CH 47 (1982)
- Cemetery districts, commissioners: SB 3562
- Day care centers, DSHS license fees: HB 1238
- Electric rate structures, inverted: SB 4616
- Food banks, sales and use taxes: HB 1237, HB 1239, SB 5009, *HB 1243, CH 3 E2 (1982)
- Food products, sales and use taxes: HB 1242
- Industrial insurance, musicians, entertainers: HB 1054, Sub HB 1127
- Irrigation districts, real property recovery: Sub HB 932
- Library records, public disclosure requirements: *Sub HB 476, CH 64 (1982)
- Nonprofit organizations, food distribution: SB 5020
- Nonresidents, sales and use taxes, personal property: HB 1244, SB 5022
- Nuclear plants 4 5, construction, termination costs: HB 1212
- 368, '1, Personal property, execution attachment exemptions: HB 1193
- Public disclosure requirements: *Sub HB 40, CH 60 (1982)
- St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
- Workshops, seminars, educational services: Sub SB 4061

EXHIBITS

- Adults only materials, civil penalties: HB 1081
- Obscene materials, performances, prohibitions: HB 927

EXPLOSIVES

- Sales, minors, prohibited, small arms ammunition: *HB 22, CH 111 (1982)

EXPORTS

- Export assistance centers: Sub HB 1141
- State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)
- Trade agreements, far east nations: *HJM 14 (1982)
- Wineries, domestic, wholesale: *Sub HB 1063, CH 85 (1982)

EXPO '86 - BRITISH COLUMBIA

- Committee, joint select, established: *SCR 138 E1 (1982)

FAIRS AND EXPOSITIONS

- Energy fair '83, OFM: HB 1062, *Sub SB 4369, CH 50 E1 (1982) PV
- Expo '86, joint select committee, established: *SCR 138 E1 (1982)
- Japanese-Americans, internment, commemoration: HB 483

FAMILIES

- AFDC recipients, able, work requirement: Sub HB 812
- Child abuse and neglect council: *3rd Sub HB 179, CH 4 (1982)
- Child abuse, redefined: Sub HB 1048, *Sub SB 4461, CH 129 (1982)
- Children and families division, DSHS: HB 1209

FAMILY COURTS

- Children, joint custody, conditions prescribed: Sub HB 905

FARMERS AND FARMING

- Farm labor contractors, licensing provisions repealed: HB 1058
- Farm workers shelter council: HB 1051

FEDERAL GOVERNMENT

- Balanced Budget, constitutional amendment or convention: HJM 27
- Congressional redistricting, districts specified: Sub HB 786, *Sub HB 787, CH 2 (1982)

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

FEDERAL GOVERNMENT—cont.

Court-ordered obligations: SB 5024

Federal-aid apportionments, payments in advance: HB 877

FEDERAL RESERVE BOARD

Audit, independent, requirement, U.S. supreme court, action, state, intent declared: *SCR 127 (1982)

FEED

Commercial feed act: *Sub HB 1131, CH 177 (1982)

FERRIES AND FERRY SYSTEM

Emergency operation, governor powers transferred: HB 952

Employees, labor relations provisions revised: HB 1107, HB 1232, Sub SB 4609

Historic, disposition regulated: *SB 4956, CH 210 (1982)

FERRY COUNTY

Judicial district, new position: HB 918, *Sub SB 4449, CH 139 (1982)

FILMS

Adults only materials, sale, exhibit: HB 1081

Obscene materials, performances, prohibitions: HB 927

Pornography, moral nuisances, defined: *Sub HB 626, CH 184 (1982)

FINANCIAL INSTITUTIONS

Alcohol beverage business, institutional investors: SB 4729, HB 1059, *Sub HB 1063, CH 85 (1982)

Banks, reorganization, holding companies: HB 924, *Sub HB 936, CH 196 (1982)

Banks, trust companies, investments: *HB 1074, CH 86 (1982)

BIDCO, business, industrial development corporations act: Sub HB 977

Checks, unlawfully issued, payment timed reduced: *SB 4366, CH 138 (1982)

Committee, joint, created: *Sub HB 833, CH 3 (1982)

Credit cards, state use authorized: *SB 4705, CH 45 E1 (1982)

Credit unions, share guaranty associations: HB 924, *HB 934, CH 67 (1982)

Examinations, fee schedule establishment: HB 935

Homes, creatively financed: HB 1185

International banking facilities: HB 929, *Sub SB 4115, CH 95 (1982)

Joint tenant accounts, right of survivorship: HB 1187

Mutual savings banks, interest, dividends: *Sub SB 3679, CH 5 (1982)

Social and health services financial responsibility act: Sub HB 759

Unclaimed property, disposition: *Sub HB 766, CH 1 E2 (1981)

Unclaimed property, uniform act: HB 766, Sub HB 1128

Workers compensation benefits: *SB 4947, CH 109 (1982)

FINANCIAL MANAGEMENT, OFFICE OF

Administrative hearings revolving fund, created: *HB 907, CH 189 (1982)

Agencies, rules review: Sub HB 838

Budget, operating, 1981-83 biennium, modified: *Sub SB 4369, CH 50 E1 (1982) PV

Budget, operating, 1981-83 biennium, reduced: *Sub HB 811, CH 14 E2 (1981) PV

Debt limit, state, statutory provisions: Sub HB 806

Debt payments, state, principal, interest: HB 1035

Debt restrictions, state, as specified: HB 1027

Energy facility site evaluation council: Sub HB 912

Energy fair '83, appropriation: HB 1062

Forms and paperwork reduction act, enacted: HB 1169

Funds, public, cash flow: *Sub HB 773, CH 4 E2 (1981)

Information systems office: 2nd Sub HB 941

Information systems management reorganization task force, created: HB 411

Natural resources account, created: SB 4112

Occupational information service: *Sub HB 920, CH 43 (1982)

PERS, allowances, deductions: Sub HB 733

FINANCIAL MANAGEMENT, OFFICE OF—cont.

Recreation guide, legislative report: SB 3915
 Rehabilitation review office, performance audit: *HB 454, CH 63 (1982)
 Retirement, early, public systems: *2nd Sub HB 124, CH 54 E1 (1982) PV
 The Evergreen State College, abolished: HB 793

FINES

Audits, local government, drafts: HB 944
 Bad checks, penalties prescribed: *SB 4366, CH 138 (1982)
 Debts, public, collection agencies: *HB 844, CH 65 (1982)
 Engineers, surveyors, board, maximum fine specified: *HB 442, CH 37 (1982)
 Justice courts, jurisdiction, increased: *SB 4493, CH 150 (1982)
 Parking, violations, unpaid: *Sub HB 268, CH 14 E1 (1982)
 Prisoners, county, fine reduction rate: SB 3301
 Snowmobiles, decal, failure to show: *HB 896, CH 17 (1982)
 Yard signs, billboards, advertising: HB 1118

FIREARMS

Habitual criminal status, redefined: HB 569
 Pistols, concealed, license requirements: *HB 600, CH 47 E1 (1982) PV
 Schools, premises, prohibited, violation, class C felony, exemptions: Sub HB 898

FIRE FIGHTERS

Accidents, motor vehicles, official business: *SB 3233, CH 52 (1982)
 Guard animals, posting requirements: HB 1019
 LEOFF, membership defined: *SB 4635 CH 12 (1982)

FIRE MARSHALS, LOCAL

Day care homes, inspection requirement: Sub HB 860
 Day care homes, private family, regulated: SB 3007
 Guard dogs, on premises, registration requirement: HB 1019

FIRE MARSHAL, STATE

Fire and life safety rules, promulgation: HB 798
 Fire insurance policies, high risk areas: *SB 3297, CH 110 (1982)
 Fireworks, sales prohibitions: *Sub HB 1149, CH 230 (1982)
 Transient accommodations: HB 798

FIRE PROTECTION DISTRICTS

Annexation, contiguous property: Sub SB 3512
 Audits, private accounting firms, use permitted: Sub HB 857
 Bids, minimum requirement increased: Sub HB 890
 Funding, services, study: *SB 4972, CH 50 E1 (1982)
 Short-term obligations: *Sub SB 4728, CH 216 (1982)
 Territory withdrawing, assets distribution specified: HB 1136

FIRES AND FIRE PROTECTION

Fire service training center: *Sub HB 1230, CH 48 E1 (1982) PV
 Forest land, assessments: *HB 1099, CH 55 E1 (1982)
 Forest land, violations, requirements: HB 223
 Hotel, motel tax revenues, specified uses expanded: HB 1115
 Insurance policies, high risk areas: *SB 3297, CH 110 (1982)
 Power driven machinery, use permit: HB 223
 Reporting, failure, crime defined: SB 3292

FIREWOOD

Fuel use, grading required: HB 1094
 Harvesting, transportation, regulated: Sub HB 643

FIREWORKS

Definitions, sales prohibitions: Sub SB 4597, *Sub HB 1149, CH 230 (1982)

FISCAL IMPACT

- Beer, wine sales, state liquor stores: Sub HB 1039
- Budget stabilization account: Sub HJR 13
- Budget stabilization account, transfers, deposits: *Sub HB 1109, CH 36 E1 (1982)

FISHERIES, DEPARTMENT OF

- Blue lights, motor vehicles, use: HB 825
- Commercial fisherman, catch, sales: HB 1071
- Commercial net fishing areas: HB 458
- Crab licenses, commercial: HB 842, *SB 4464, CH 157 (1982)
- Dingell-Johnson federal aid, projects establishment: *Sub HB 70, CH 26 (1982)
- Fish enhancement projects, expenditures authorized: *Sub HB 1230, CH 48 E1 (1982) PV
- Fish enhancement projects, federal funding petitioned: SJM 110
- Fish hatchery revolving fund, created: Sub SB 3965
- Fish protective devices, installation requirements: HB 1096
- Geoducks, intensive management plan: *HB 1162, CH 180 (1982)
- Hydraulic project applications: HB 978
- Lights, sirens, motor vehicles, use: *Sub SB 4826, CH 101 (1982)
- Local government master program adjustments: Sub HB 1098, HB 1104
- Milwaukee road select committee, establishment: *SCR 143 E1 (1982)
- Nonresidents, license applicants: HB 1071
- Public works, small works roster: *Sub SB 4200, CH 98 (1982)
- Razor clams, programs, harvest benefit: *HB 894, CH 178 (1982)
- Real estate, acquisition: *Sub HB 810, CH 41 (1982)
- Salmon eggs, excess, disposition: SB 4612
- Salmon enhancement projects, spending provision: HB 1087
- Salmon fishing, treaty Indian fisheries: *SB 4522, CH 197 (1982)
- Salmon fishing vessels, buy-back program: HB 841
- Salmon hatcheries, private nonprofit: HB 1079
- Salmon management plan, preparation: Sub SB 3557
- Salmon release-recapture facilities: SB 4612
- Shoreline hearings board, contested case hearings: Sub HB 914
- St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
- Tribal claims, rights: HJM 20

FISHING - SPORT (See also GAME AND GAME FISH)

- Check stations, game department: *Sub SB 4550, CH 155 (1982)
- Licenses, persons seventy and older, reduced-fee, provided: HB 880
- Salmon fishing, treaty Indian fisheries: *SB 4522, CH 197 (1982)

FLOODS AND FLOOD CONTROL

- St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)

FLOOR RESOLUTIONS - HOUSE

- Aberdeen high school Bobcats: *HFR 164 E1 (1982)
- Adjournment sine die, 1981 E2, senate notified: *HFR 97 E2 (1981)
- Adjournment sine die, 1982 E1, senate notified: *HFR 181 E1 (1982)
- Adjournment sine die, 1982, senate notified: *HFR 156 (1982)
- Agriculture day, recognition: *HFR 166 E1 (1982)
- Aquatic lands task force: *HFR 100 (1982)
- Bills, memorials, resolutions, indefinite postponement: *HFR 183 E1 (1982)
- Brown, Reverend Leo Charles, Jr, "day", designated: *HFR 112 (1982)
- Chiechi, Vito T., Chief Clerk, service appreciated: *HFR 177 E1 (1982)
- Child abuse, select committee, report: *HFR 101 (1982)
- Cle Elum-Roslyn high school Warriors, congratulated: *HFR 142 E1 (1982)
- Columbia high school, Richland, Bombers, congratulated: *HFR 102 (1982)
- Cunningham, Dave, legislative liaison, prayers for recovery: *HFR 90 E2 (1981)
- Deregulation and productivity, select committee, established: *HFR 88 E2 (1981)
- Dozier, Brigadier General James L, freedom from captivity, appreciation: *HFR 110 (1982)

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FLOOR RESOLUTIONS - HOUSE—cont.

- El Salvador, military aid expenditures questioned: HFR 127
 Executive rules committee, created: *HFR 175 E2 (1982)
 Executive rules committee, reestablished: *HFR 96 E2 (1981)
 Ferry system, efficiency: *HFR 104 (1982)
 House organized, senate notified: *HFR 87 E2 (1981)
 House organized, 1982 E1, senate notified: *HFR 159 E1 (1982)
 House organized, 1982, senate notified: *HFR 99 (1982)
 Interim business, executive rules committee, created: *HFR 175 E1 (1982)
 Interim business, executive rules committee, reestablished: *HFR 96 E2 (1981)
 International women's day: *HFR 138 (1982)
 Johnson, Robert N, DOT employee, died: *HFR 125 E1 (1982)
 KGY radio station (1240) 60th anniversary: *HFR 144 (1982)
 King, Martin Luther, Jr, homage: *HFR 103 (1982)
 Larsen, Richard, Seattle Times political writer, commended: *HFR 117 (1982)
 Murals, removal or covering directed: *HFR 137 (1982)
 Murals, black and white, removal, blue-ribbon committee: *HFR 95 E2 (1981)
 O'Brien, John L, Representative, interim book writing directed: *HFR 155 (1982)
 Organized, Senate notified: *HFR 184 E2 (1982)
 Pacific Northwest Trail, national trail system: *HFR 116 (1982)
 Parks and recreation commission, reorganization: *HFR 174 E1 (1982)
 P. L. 874 impact aid, federal government, maintenance urged: *HFR 105 (1982)
 Poland, solidarity, expression: *HFR 108 (1982)
 Postretirement increases, state pension systems: *HFR 168 E1 (1982)
 Pyrenco, Inc, commended: *HFR 129 (1982)
 Raboin, Philip J, state organist, commemorated: *HFR 167 E1 (1982)
 Roosevelt high school Roughriders, 1982 AAA basketball champions, commended: *HFR 161 E1 (1982)
 Roosevelt, President Franklin D, birthday commemorated: *HFR 109 (1982)
 Rotary international, 77th anniversary, commended: *HFR 122 (1982)
 Rules, permanent, adopted: *HFR 1 (1981)
 Runaway children, support levels report: *HFR 120 E1 (1982)
 School districts, property tax revenue, maintenance urged: *HFR 105 (1982)
 Senior citizen interns, best wishes: *HFR 154 (1982)
 Siberian Seven, freedom to emigrate, USSR requested: *HFR 107 (1982)
 Sine die, Senate notified: *HFR 186 E2 (1982)
 State government, assistance, higher education, study, report: *HFR 176 E1 (1982)
 Student congress, commended: *HFR 126 E1 (1982)
 Sutherland, Phil, Puget Sound gillnetter, lost at sea, condolences: *HFR 93 E2 (1981)
 University of Washington football team, congratulated: *HFR 92 E2 (1981)
 Veterans Day, gratitude expressed: *HFR 89 E2 (1981)
 Washington State University, football team, congratulated: *HFR 92 E2 (1981)
 Williams, Patricia, temporary chief clerk, election: *HFR 178 E1 (1982)
 Wrestling, amateur wrestling day, governor declaration urged: *HFR 165 E1 (1982)

FOOD AND FOOD PRODUCTS

- Bread, weight and size standards repealed: Sub HB 900
 Businesses, jukebox selections, payment: HB 1123
 Culinary, restaurant courses, alcoholic beverage use prescribed: *Sub HB 1063, CH 85 (1982)
 Food banks, sales and use tax exemption: HB 1237, SB 5009, *HB 1243, CH 3 E2 (1982)
 Junk foods, as defined, sales, use taxes exemption removed: HB 1199
 Meat products, perishable, B&O tax decreased: HB 1004
 Nonprofit organizations, purchase for free distribution, sales and use tax exemption: SB 5020
 Sales and use tax provisions repealed: HB 1242
 Sales and use tax, replaced, excise tax on certain items: HB 1259
 Schools, food service programs: HB 776

FOOD FISH AND SHELLFISH

Commercial net fishing areas: HB 458
 Crab licenses, commercial: HB 842, *SB 4464, CH 157 (1982)
 Dingell-Johnson federal aid, projects establishment: *Sub HB 70, CH 26 (1982)
 Fish enhancement projects, federal funding petitioned: SJM 110
 Fish hatchery revolving fund, created: Sub SB 3965
 Fish protective devices, installation: HB 1096
 Food fish, privilege rights, surcharge increased: *SB 5032, CH 14 E2 (1982)
 Geoducks, harvesting leases: 2nd Sub HB 1093
 Geoducks, intensive management plan: *HB 1162, CH 180 (1982)
 Geoducks, oysters, clams, harvesting leases: *Sub SB 4824, CH 21 E1 (1982)
 Indian treaty rights, federal funds: HJM 28, SJM 132
 Pots, lifting, south of Hood Canal bridge abutments: *HB 46, CH 14 (1982)
 Razor clams, harvest benefit programs: *HB 894, CH 178 (1982)
 St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
 Tribal claims, rights, fish, other natural resources: HJM 20
 Vessels, gear, taking, molesting, unlawful, penalty: *HB 46, CH 14 (1982)

FOOD STAMPS

AFDC, allotments, consideration as income: 2nd Sub HB 756
 Sales and use tax increase extension provisions: HB 1214

FORECLOSURE

LID's, delinquent assessment foreclosure: *Sub HB 823, CH 91 (1982)
 LID's, formation, financing, procedures modified: HB 519
 Personal property: HB 1193
 Social and health services financial responsibility act., Sub HB 759

FORESTS AND FOREST PRODUCTS

Federal forest revolving fund, created, SPI: *Sub HB 868, CH 126 (1982)
 Fire protection, forest land, reports: HB 223
 Forest fire protection, suppression account: *HB 1099, CH 55 E1 (1982)
 Forest products industry employment recovery act: HB 1037
 Forest products industry recovery act: HB 1148
 Forest products recovery act, extension, default: *Sub SB 4663, CH 222 (1982)
 Public lands, harvest, excise tax: *HB 1245, CH 4 E2 (1982)
 Reforestation land, declassified: HB 1205
 Reforestation land, obligation, notice required: *Sub HB 419, CH 173 (1982)
 Timber contract price indexing advisory committee, created: *Sub SB 4663, CH 222 (1982)
 Timber sales, forest development account: *Sub HB 773, CH 4 E2 (1981)
 Timber sales, procedures, directed: *HCR 42 (1982)
 Timber, public land, business inventory: HB 821
 Trees, unauthorized destruction, penalty repealed: *Sub HB 135, CH 28 (1982)

FORMS MANAGEMENT

Forms and paperwork reduction act: HB 1169
 Forms reduction act, licensing: *SB 4559, CH 214 (1982)
 Legal-size media, defined, state agencies: Sub HB 895
 Procedures updated: SB 3020

FORT LAWTON/DISCOVERY PARK

Final disposition, historic preservation exemption: 2nd Sub SB 3027

FRANCHISES

Public service companies, fees, licenses: HB 817, *SB 4972, CH 49 E1 (1982)

FRAUD

Utility meters, tampering with: HB 1034

FRUIT

Apple processing, assessment, apple commission: HB 909

FRUIT—cont.

Public land, leases, tree fruit production: *Sub SB 4163, CH 54 (1982)

FUEL

Firewood, fuel use, grading required: HB 1094

Gasoline prices, display visible: HB 881

Gasoline prices, gas tax: *HB 854, CH 6 E1 (1982)

FUND RAISING

Charitable, nonprofit organizations, earnings increase allowed: Sub HB 1102

Legislators, legislative sessions, limitations: Sub HB 1125

Minors, participation prohibited: HB 904

State employees, solicitation legislative session: HB 1124

FUNDS - PUBLIC

Administrative hearings revolving, created: *HB 907, CH 189 (1982)

Associated student body, use: *Sub SB 3617, CH 231 (1982)

Budget stabilization account: Sub HJR 13

Budget stabilization account, transfer requirements: *SB 4250, CH 35 E1 (1982) PV

Certificates of deposit, allocation alteration: *SB 4506, CH 74 (1982)

Cigarette sales below cost act, revolving, created: HB 1092

Citizen assessment revolving, created: Sub HB 995

Crime victims assistance, created: HB 514, SB 3301

Deferred compensation, public depositories: HB 1110

Drinking deterrence and treatment: HB 1164, HB 1229

Educational service districts, funds: *Sub SB 4502, CH 136 (1982)

Federal forest revolving, created: *Sub HB 868, CH 126 (1982)

Fish hatchery revolving, created: Sub SB 3965

Investment authority, state treasurer: *SB 4507, CH 148 (1982)

Joint operating agencies, funds, disbursement: HB 1031

Legal services revolving, reserve status: *Sub SB 4369, CH 50 E1 (1982) PV

Local investment pool, created: SB 4743

Motor vehicle fund distributions, counties: HB 595

Natural resources deposit, created: *Sub HB 773, CH 4 E2 (1981)

Public facilities construction loan revolving, created: *2nd Sub HB 906, CH 40 E1 (1982)

Recreation guide revolving, created: SB 3915

School districts, building: SB 4421

School, excess, investment requirements revised: HB 771

Schools, public depositories, investment authorized: HB 1110

SPI, general expense, use procedures: HB 188, SB 3242

State investment board commingled trust: *SB 4644, CH 58 (1982)

State lottery revolving fund created: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)

State trade fair, surplus funds: *HB 780, CH 2 E2 (1981)

Transition trust lands revolving fund act: HB 911

Voluntary action center, created: *Sub HB 923, CH 11 E1 (1982)

FUNERALS AND FUNERAL DIRECTORS

Cemeteries, endowment care, prearrangement: HB 1161

Funeral directors, licensing requirements removed: HB 778

Prearrangement contracts, authority transferred: *Sub HB 871, CH 66 (1982)

GAMBLING COMMISSION, STATE

Card games, fund raising events: HB 904

Charitable, nonprofit organizations, bona fide: Sub HB 1102

Exotic races, parimutuel receipts: *Sub SB 4708, CH 32 (1982)

State lottery, establishment, appropriation: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)

GAME AND GAME FISH

Big game, endangered species: *Sub HB 834, CH 31 (1982)
 Check stations, game department: *Sub SB 4550, CH 155 (1982)
 Dingell-Johnson federal aid: *Sub HB 70, CH 26 (1982)
 Enforcement officers, authority: Sub SB 3258
 Fish protective devices, installation: HB 1096
 Hunting, interference with, prohibited: HB 1055
 Hydraulic projects, applicants: HB 978
 Lands, county relinquishment, fines: SB 3930
 Lights, sirens, use designation: *Sub SB 4826, CH 101 (1982)
 Local government master program adjustments: Sub HB 1098, HB 1104
 Milwaukee road select committee, establishment: *SCR 143 E1 (1982)
 Mountain goats, sheep, stamp fees increased: SB 4726
 Public works, small works roster: *Sub SB 4200, CH 98 (1982)
 Real estate, acquisition: *Sub HB 810, CH 41 (1982)
 Shoreline hearings board, contested case hearings: Sub HB 914
 St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)
 Wildlife handling, selling: *SB 4466, CH 152 (1982)

GARNISHMENT

Receipt, garnishee, writ binding: SB 4516

GASOLINE

Gas tax, selling price, distributors: *HB 854, CH 6 E1 (1982)
 Prices, display visible: HB 881

GENERAL ADMINISTRATION, DEPARTMENT OF

Banks, alien, powers, regulation: HB 929, *Sub SB 4115, CH 95 (1982)
 Banks, examinations, supervisor, fee schedule: HB 935
 Banks, reorganization, bank holding companies: HB 924, *Sub HB 936, CH 196 (1982)
 BIDCO, business and industrial development corporations act, enacted: Sub HB 977
 Buildings, publicly owned, leased: *SB 3156, CH 159 (1982)
 Capital improvements: *Sub HB 1230, CH 48 E1 (1982) PV
 Correction facility, 500-bed medium security: *Sub HB 808, CH 23 E1 (1982)
 Credit cards, state use authorized: *SB 4705, CH 45 E1 (1982)
 Criminal justice training commission, training facilities: *HB 1066, CH 124 (1982)
 Energy audits, state facilities: *2nd Sub HB 658, CH 48 (1982)
 Forms management: SB 4559
 Information processing resources: 2nd Sub HB 941
 Information systems management reorganization task force, created: HB 411
 Inmate labor, state facilities: HB 768
 Investments, public funds, revised: HB 1110
 Legal-size media, use prohibited: Sub HB 895
 Legislative facilities, joint committee, created: Sub SB 3328
 Municipal corporations, credit lines: SB 4329
 Mutual savings banks, interest, dividends: *Sub SB 3679 CH 5 (1982)
 Paper, recycled, purchase preference: *Sub HB 259, CH 61 (1982)
 Public works, revisions: *Sub SB 4200, CH 98 (1982)
 Real estate, state, authority defined: *Sub HB 810, CH 41 (1982)
 Savings and loan associations: *Sub HB 833, CH 3 (1982)
 Share guaranty contingency reserves: HB 924, *HB 934, CH 67 (1982)
 The Evergreen State College, abolished: HB 793
 Thurston county courthouse, demolition: Sub HB 1176
 Veterans' loan insurance, references deleted: HB 972, SB 3017
 Veterans' memorial parks, cemeteries, establishment, study: HB 836

GEOGRAPHIC NAMES

Board, members, terms specified, sunset act: HB 527

GEOHERMAL RESOURCES

Heating systems, municipal corporations: 2nd Sub SB 3033

GIFTS (See also ANATOMICAL GIFTS)

Charity gift annuity businesses, regulation: HB 938

GOVERNOR

Agencies, rules review: HB 838

Allotment reductions, authorized: *SB 5033, CH 15 E2 (1982)

Budget and accounting act: HB 1018

Budget proposals, submission of 3 required: HB 1250

Centennial celebration, task force creation requested: HCR 38

Center for voluntary act: *Sub HB 923, CH 11 E1 (1982)

Child abuse and neglect council, established: *3rd Sub HB 179, CH 4 (1982)

Community colleges, trustees boards: HB 361

Criminal justice council, abolished: HB 1112

Employees, number, regulation requirements: HB 1022

Ferry system, emergency operation, powers: HB 952

Ferry system, employees: HB 1232, Sub SB 4609

General fund revenues, semi-annual estimates required: HJR 13

Improvements, public, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)

Information systems office: 2nd Sub HB 941

Joint operating agencies, nuclear plants, management: Sub HB 1217

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Leave-without-pay program: Sub HB 1226, HB 1228

Legislature, adjournment, 1981 second special session, governor notified: *SCR 129 E2 (1981)

Legislature, joint session, address: *HCR 32 (1982)

Legislature, joint session, November 9, 1981, directed, financial situation address: *HCR 30 E2 (1981)

Legislature, organized, 1981 second special session, governor notified: *SCR 123 E2 (1981)

Legislature, organized, 1982 first special session, notified: *HCR 49 E1 (1982)

Legislature, organized, 1982 regular session, notified: *SCR 130 (1982)

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Occupational information service, employment security department: *Sub HB 920, CH 43 (1982)

Oil and gas severance and conservation tax act: HB 814

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Pesticides application, emergency authority: Sub HB 994, *Sub SB 4684, CH 153 (1982)

Planning and community affairs agency, reorganized: HB 913, Sub SB 4586

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Property, state, inventory: Sub HCR 41

Tax advisory council, membership, duties: *SB 4992, CH 41 E1 (1982)

Threats, governor, immediate family, successors: *HB 745, CH 185 (1982)

Traffic safety commission, governor's absence: *Sub HB 946, CH 30 (1982)

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GRANDPARENTS

Visitation rights, court petition provision: HB 1049

GRANTS

Economic assistance authority, sunset: HB 1101

Winter recreation activities, programs, parks, recreation commission: HB 386, *SB 3737, CH 11 (1982)

GRAPES

Public land, leases, grape production: *Sub SB 4163, CH 54 (1982)

GROUP HOMES

Juveniles, confinement, private-not-for-profit homes: Sub HB 870

GUARDIANSHIP

Abortion, unemancipated minor, notification: Sub HB 226

Children, public school attendance exemption: Sub HB 996

Public guardian, counties, position creation authorized: HB 1038

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Aaron, Philip, member, sentencing guidelines commission: *GA 514 (1982)

Alvarez, Eloise, member, board of trustees, Big Bend community college district No. 18: GA 576

Anderson, James E, member, board of trustees, Skagit community college district No. 4: *GA 582 (1982)

Angier, Keith A, member, corrections standards board: GA 487

Beauchamp, Henry, member, corrections standards board: *GA 556 (1982)

Beckett, Betty, member, board of trustees, Grays Harbor community college district No. 2: *GA 560 (1982)

Brennick, Daryl, member, state jail commission: *GA 546 (1982)

Brockett, Donald C, member, sentencing guidelines commission: *GA 515 (1982)

Bryan, Greta Ann, member, judicial qualifications commission: GA 482

Carbone, Daniel V, member, board of trustees, Seattle community college district No. 6: *GA 535 (1982)

Case, Robert A, II, member, board of trustees Central Washington University: *GA 531 (1982)

Chalker, Raymond L, member, board of trustees, Fort Steilacoom community college district No. 11: *GA 538 (1982)

Chamberlain, Norman F, member, corrections standards board: GA 488

Champeaux, Gloria M, member, public employees' retirement board: *GA 512 (1982)

Champeaux, Gloria M, member, state investment board: GA 501, *GA 573 (1982)

Clarke, Harold D, member, sentencing guidelines commission: *GA 516 (1982)

Clark, Girard, member, board of trustees, Spokane community college district No. 17: *GA 566 (1982)

Clifford, Arthur F Jr, member, sentencing guidelines commission: *GA 517 (1982)

Cohen, Berta, member, public disclosure commission: GA 408

Coleman, H Joseph, member, sentencing guidelines commission: *GA 518 (1982)

Cooley, Jean, member, board of trustees, Everett community college district No. 5: *GA 532 (1982)

Daly, Maxine E, member, personnel appeals board: *GA 507 (1982)

deVries, Elna I, member, board of trustees, Skagit community college district No. 4: *GA 553 (1982)

Dixon, Robert E, member, juvenile disposition standards commission: *GA 547 (1982)

Eikenberry, Ken, member, corrections standards board: GA 489

Elmgren, Raymond L, member, board of trustees, Columbia Basin community college district No. 19: *GA 543 (1982)

Erickson, Larry V, member, corrections standards board: GA 490

Ferland, Kenneth A, member, board of trustees, Lower Columbia community college district No. 13: *GA 564 (1982)

Faulk, Lawrence J, member, board of trustees, Tacoma community college district No. 22: GA 484

Frichtl, Dianne E, member, board of trustees, Clark community college district No. 14: *GA 555 (1982)

Gates, Mary, member, board of regents, University of Washington: *GA 528 (1982)

Goldsworthy, Robert F, member, council for postsecondary education: *GA 510 (1982)

Gordon, John F, member, personnel appeals board: *GA 508 (1982)

Hannah, Robert D, chairman, liquor control board: *GA 577 (1982)

GUBERNATORIAL APPOINTMENTS - SPELLMAN—cont.

- Hansen, Paul D, member, sentencing guidelines commission: *GA 519 (1982)
- Hanson, L Eugene, member, juvenile disposition standards commission: *GA 548 (1982)
- Hayes, Philip S, member, state board for community college education: *GA 583 (1982)
- Henrie, Mary, member, board of trustees, Wenatchee community college district No. 15: *GA 540 (1982)
- Hornbrook, R E Ted, member, state jail commission: *GA 503 (1982)
- Hough, Cindy Kay, member, board of trustees, Centralia community college district No. 12: *GA 563 (1982)
- Hunt, Dorothy K, member, board of trustees, Fort Steilacoom community college district No. 11: *GA 539 (1982)
- Hunter, Al, member, personnel appeals board: *GA 509 (1982)
- Hunt, Robert E Jr, member, board of trustees, Tacoma community college district No. 22: *GA 569 (1982)
- James P. Bishop, member, board of trustees, Skagit community college district No. 4: GA 578
- Jensen, Shirley B, member, public employees' retirement board: *GA 513 (1982)
- John, Hunter E, member, juvenile disposition standards commission: *GA 549 (1982)
- Johnson, Charles V, member, sentencing guidelines commission: *GA 520 (1982)
- Jones, Rudy, member, board of trustees, Edmonds community college district No. 23: *GA 570 (1982)
- Justice, David, member, board of trustees, Walla Walla community college district No. 20: *GA 584 (1982)
- Kenner, Paul D, member, board of trustees, Whatcom community college district No. 21: *GA 568 (1982)
- Kinney, Jill M, member, juvenile disposition standards commission: *GA 550 (1982)
- Lamon, Harold A Jr, member, board of trustees, Highline community college district No. 9: *GA 554 (1982)
- LaRose, David R, chief administrative law judge: GA 485
- Laxton, H Dean, member, board of trustees, Big Bend community college district No. 18: *GA 567 (1982)
- Lobe, Ludwig, member, health care facilities authority: *GA 497 (1982)
- Lobe, Ludwig, member, state personnel board: *GA 506 (1982)
- Logan, Dr Arch Jr, member, hospital commission: *GA 498 (1982)
- Loposer, Avery K, member, board of trustees, Olympic community college district No. 3: *GA 585 (1982)
- Mage, Betty J, member, council for postsecondary education: *GA 580 (1982)
- Maleng, Norm, member, sentencing guidelines commission: *GA 521 (1982)
- Mathews, Hugh L, member, board of trustees, Green River community college district No. 10: *GA 537 (1982)
- Maxwell, Roger F, member, corrections standards board: GA 491
- McCarthy, John C, chairman, hospital commission: *GA 557 (1982)
- McEachern, Robert B, member, board of regents, Washington State University: *GA 529 (1982)
- McEachran, David S, member, corrections standards board: GA 492
- McGough, Hugh R, member, public disclosure commission: *GA 511 (1982)
- McKinley, Mary, member, board of trustees, Bellevue community college district No. 8: *GA 536 (1982)
- McKinney, Reverend Samuel B, member, commission for vocational education: *GA 527 (1982)
- Melior, Elaine Garvie, member, corrections standards board: GA 493
- Mitchell, Dale, member, state investment board, SPI appointment: GA 483
- Naddy, Marlee L, member, state commission for the blind: GA 404
- Netherland, Warren, member, sentencing guidelines commission: *GA 522 (1982)
- Newman, Della M, member, state personnel board: *GA 574 (1982)
- Nihoul, Timothy R, member, board of trustees, Big Bend community college district No. 18: *GA 542 (1982)

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- Overton, Jerry B, member, state transportation commission: *GA 525 (1982)
- Owen, Tracy, member, board of trustees, Shoreline community college district No. 7: *GA 562 (1982)
- Palmer, David H, member, state board of pharmacy: GA 464
- Panther, Chief Robert D, member, state investment board: *GA 502 (1982)
- Peter, Philip A, member, state commission for the blind: GA 403
- Petersen, N Clifford, member, juvenile disposition standards commission: *GA 571 (1982)
- Peterson, Paul W, member, juvenile disposition standards commission: *GA 558 (1982)
- Plaisance, Richard T, member, board of trustees, Olympic community college district No. 3: *GA 561 (1982)
- Potthoff, Neil S, member, board of trustees, Peninsula community college district No. 1: GA 472
- Prince, Robert W, member, board of trustees, Wenatchee community college district No. 15: *GA 541 (1982)
- Radke, Helen, member, state board for community college education: GA 474
- Rahm, Karen, member, corrections standards board: GA 494
- Ramsey, Norman E, member, hospital commission: *GA 499 (1982)
- Rathfelder, Dr R R, member, higher education personnel board: GA 496
- Reed, Amos E, secretary, department of corrections: GA 486
- Reich, Jay A, member, juvenile disposition standards commission: *GA 551 (1982)
- Rice, Kenneth B, member, board of trustees, Everett community college district No. 5: GA 575
- Richmond, Chester A, member, board of pilotage commissioners: *GA 579 (1982)
- Rogers, Jack H, member, state investment board: GA 473
- Rosmond, Frederick B, member, board of trustees, Peninsula community college district No. 1: *GA 572 (1982)
- Scales, Symone B, chairman, human rights commission: *GA 500 (1982)
- Schram, Donna D, member, sentencing guidelines commission: *GA 523 (1982)
- Scott, Steve, member, sentencing guidelines commission: *GA 524 (1982)
- Scroggs, Ann Hobi, member, board of trustees, Grays Harbor community college district No. 2: GA 430
- Shaber, Bert, member, board of trustees, Eastern Washington University: *GA 552 (1982)
- Sherman, Vaughn A, member, board of trustees, Edmonds community college district No. 23: *GA 544 (1982)
- Simons, Carol, member, board of trustees, Edmonds community college district No. 23: *GA 545 (1982)
- Stern, Bernice, member, state transportation commission: *GA 526 (1982)
- Stimpson, Catharine C, member, board of trustees, Whatcom community college district No. 21: GA 477
- Sullivan, Jeffrey C, member, state jail commission: *GA 504 (1982)
- Thorpe, Jon G, member, commission for vocational education: GA 478
- Vandiver, H M, member, juvenile disposition standards commission: *GA 559 (1982)
- Vynne, Eustace "Sonny" Jr, member, state parks and recreation commission: GA 424
- Waldt, Lawrence G, member, gambling commission: GA 495
- Washines, Anthony, member, board of trustees, Yakima community college district No. 16: *GA 565 (1982)
- Webster, Kate B, member, board of regents, Washington State University: *GA 530 (1982)
- Weis, Nancy L, member, board of trustees, Everett community college district No. 5: *GA 533 (1982)
- Weza, I A Tony, member, public disclosure commission: *GA 581 (1982)
- Williams, Margaret S, member, state parks and recreation commission: *GA 505 (1982)
- Yates, Roy, member, board of trustees, Everett community college district No. 5: *GA 534 (1982)

GUIDES

Recreation guide, revolving fund, appropriation: SB 3915

GUNS

Gunpowder, sales, gift, disposal, delivery: HB 22

HANFORD

Nuclear waste, high-level, federal policies, petitioned: HJM 23, SJM 116

HARBOR AREAS (See also NATURAL RESOURCES, DEPARTMENT OF)

Appraisers, lease purposes: *HB 728, CH 117 (1982)

Aquatic lands joint legislative committee: *Sub SB 4824, CH 21 E1 (1982)

Aquatic lands task force: 2nd Sub HB 1093

Leases, proceeds, percentage, water access improvements: HB 1108

Leases, requirements modified: SB 3565

HAZARDOUS SUBSTANCES AND PRODUCTS

Common carriers, bills of lading: *HB 457, CH 83 (1982)

Low-level radioactive waste disposal, excise tax: HB 1256, *SB 5030, CH 13 E2 (1982)

Solid waste advisory committee: *SB 4909, CH 108 (1982)

Transportation incidents, aid, liability: HB 816, *HB 883, CH 172 (1982)

Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

HEALTH AND SAFETY

Cancer research, cigarette tax: HB 885

Drugs, alcohol, effects, 7th, 8th grade health courses: SB 3724

Health departments, combined city and county: *SB 4354, CH 203 (1982)

Minors, work permits, L&I rules establishment directed: HB 795

HEALTH CARE SERVICES AND PROVIDERS

Abortion, medical care prohibited: 2nd Sub HB 756

Abortion, informed consent requirement: Sub HB 226

Agent orange, delayed stress syndrome: *SB 4619, CH 97 (1982)

Blood banks, regulations imposed: HB 872

Certificate of need program, review, specified exemptions: HB 757

Dentists, nondental anesthesia use: *Sub HB 1047, CH 51 (1982)

Disease insurance, specified, act enacted: Sub HB 815

Drug dependence treatment, disability: HB 1146

Health care, joint select committee established: *Sub SCR 137 (1982)

Human remains, donees, definition: *HB 720, CH 9 (1982)

Inmates, leaves of absence: HB 967

Insect stings, shot administration: HB 928

Insurance checks, joint endorsements: *Sub HB 824, CH 168 (1982)

Insurance, payments, restrictive assignment: HB 882

Labor relations, regulations: HB 1058

Legend drugs, defined, prescription authorized: HB 1167

Life-sustaining procedures, responsibilities: HB 319

Medicare supplemental insurance coverage: *Sub HB 891, CH 200 (1982) PV

Mental health services, disability: HB 1146

Physical therapy board, membership: Sub SB 3332

Podiatry board, established: *Sub HB 174, CH 21 (1982)

Schools, common, private, oral medication: *2nd Sub SB 3541, CH 195 (1982)

Sexual abuse, patients, health professionals: HB 954

Sexual victimization, clients, rules: HCR 44

Specified disease insurance policy: *Sub HB 902, CH 181 (1982)

TRS, deductions, monthly, group insurance or health care benefit plans: HB 989, *SB 4468, CH 135 (1982)

HEALTH MAINTENANCE ORGANIZATIONS

Alcoholism, detoxification, drug dependency: HB 1146

Financial procedures, funded reserves: HB 930, *SB 4701, CH 151 (1982)

Health care, contractors, agreements: Sub HB 891

HEARING AIDS

Hearing aid council: Sub HB 778, HB 1150

HEARINGS EXAMINERS

Industrial appeals judges: *SB 4947, CH 109 (1982)

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Community colleges, financial emergencies: *Sub HB 782, CH 13 E2 (1981)

Indebtedness, public improvements: *Sub SJR 143 E1 (1982)

Labor skills, economy, joint select committee created: HCR 45

Local government master program adjustments: Sub HB 1098, HB 1104

Medical assistance, disqualification: *2nd Sub HB 557, CH 3 E2 (1981) PV

Planning agencies, notice requirements revised: Sub HB 1007

Plumbers, regulations revised: HB 1061

School closures, public hearing requirement: *Sub HB 849, CH 191 (1982)

Service districts, counties, establishment: HB 846

Sewer, water districts, annexation: *SB 4064, CH 146 (1982)

Sheriff's civil service commission, investigation demand: *SB 4680, CH 133 (1982)

Shoreline hearings board, permit reviews: Sub HB 914

HEATING

Energy allowance, public assistance: *HB 980, CH 127 (1982)

Energy assistance, B&O tax deduction: HB 985

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McNeil Island correctional facilities, repairs: *Sub HB 808, CH 23 E1 (1982)

Water heaters, thermostats, setting requirements: Sub HB 973

HIGHER EDUCATION

Employees, increment raises temporarily eliminated: HB 1255

Idaho, tuition, fees reciprocity: HB 461

Institutions, appropriations reduced: HB 1257

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Laundry services, UW, private sector contracts allowed: Sub HB 1216

Long-term loan fund, loans: Sub HB 784

Performance evaluation standards: *Sub HB 1226, CH 53 E1 (1982) PV

Private sector services, institutions: Sub HB 1216

Salaries, comparable worth adjustment required: SB 4769

Semester system, uniform, state-wide: HB 1154

Small business innovators' opportunity program: *HB 1013, CH 44 (1982)

The Evergreen State College, abolished: HB 793

Trust lands, purchase rights: *Sub SB 4864, CH 31 E1 (1982)

Tuition, fee surcharge: HB 1260

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Private sector services, purchase authorized: Sub HB 1216

Retirement, general revisions: HB 990, *SB 4640, CH 52 E1 (1982)

Salaries, comparable worth adjustment required: SB 4769

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Closures, without prior publication, up to 12 hours permitted: HB 979, *SB 4690, CH 145 (1982)

Federal-aid apportionments, highway construction: *Sub SB 4469, CH 19 (1982)

Spirit Lake memorial highway, route description: *SB 4706, CH 82 (1982)

HISTORY

Criminal history record information systems: HB 1064

National history contest: *SCR 146 (1982)

HOLIDAYS

Martin Luther King, Jr., human relations day, holiday: HB 1196

HOOD CANAL

Shellfish pots, lifting, south of Hood Canal bridge abutments, unlawful: *HB 46, CH 14 (1982)

HORSE RACING COMMISSION

Arabian horses, parimutuel betting system: *SB 4584 CH 132 (1982)

Exotic races, parimutuel receipts: *Sub SB 4708, CH 32 (1982)

Parimutuel payoff prices, calculation: HB 1224

Races, gross receipts, percentage: HB 1215

Race track fees, horse owners, trainers, jockeys, setting authorized: HB 631

HORSES

Arabian horses, parimutuel betting system, inclusion: *SB 4584, CH 132 (1982)

Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

HORTICULTURE

Agricultural, crops, business inventory phase-out: Sub SB 4370

Plant diseases, pests, emergency measures: Sub HB 994, *Sub SB 4684, CH 153 (1982)

HOSPITALS

Beer, wine by glass, patients, family: *Sub HB 1063, CH 85 (1982)

Certificate of need program, threshold amounts: *HB 757, CH 119 (1982)

Districts, surplus property: *HB 955, CH 84 (1982)

Labor relations, regulations, certain, repealed: HB 1058

Patients, certain, absentee ballot application: Sub HB 43

Specified disease insurance act: Sub HB 815

Specified disease insurance policy return requirement: *Sub HB 902, CH 181 (1982)

Trustees boards, certain, majority of members: HB 1173

Trustees boards, persons over 18, service allowed: Sub HB 148

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Convention and trade facilities: *Sub HB 1015, CH 34 (1982)

Parks, municipal facilities, tax receipts, use: SB 3318

Tax revenues, additional uses specified: HB 1115

Transient accommodations: HB 798

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Farm workers shelter council, created: HB 1051

Homes, creatively financed, refinancing provisions: HB 1185

Industrial development bonds, issuance authorized: HB 1197

Low-income housing program, federally supported: *Sub SB 4369, CH 50 E1 (1982) PV

Residential loans, secured by real estate: HB 1195

Subsidies, public assistance, consideration as income: 2nd Sub HB 756

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Mountain goats, sheep, game license fees increased: SB 4726

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Higher education institutions, tuition, fees, reciprocity authorized, net revenue losses computation: HB 461

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Motor vehicles, insurance, coverage: HB 344

State patrol, conviction records release: *Sub SB 4775, CH 202 (1982)

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Insect stings, shot administration: HB 928

Oral medication, students, public, private schools: *2nd Sub SB 3541, CH 195 (1982)

Pesticides, applications, emergency measures: Sub HB 994, *Sub SB 4684, CH 153 (1982)

Police dog handlers, civil immunity: *HB 289, CH 22 (1982)

Police officers, civil immunity: HB 1008

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IMPORTS AND IMPORTERS

Alcoholic beverage businesses: HB 862, Sub SB 4546, *Sub HB 1063, CH 85 (1982)
 Businesses, licensed retail: HB 792
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Abortion, medical care services prohibited: 2nd Sub HB 756
 Felonious acts specified: Sub HB 1048, *Sub SB 4461, CH 129 (1982)

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Indian affairs, joint select committee, established: HCR 43
 Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)
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INDUSTRY AND INDUSTRIAL DEVELOPMENT

BIDCO, business and industrial development corporations act: Sub HB 977
 Cherry Point, shoreline, commercial use: *SB 4831 V
 Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
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 Forest products industry recovery act: HB 1148
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 Industrial development revenue bonds, nursing homes: HB 1138
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 Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)

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- Port districts, industrial development levies: *Sub SB 4963, CH 3 E1 (1982)
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- State government, fiscally responsible operation: HJR 13
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- State lottery, establishment: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
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- Insect detection and control program: Sub HB 994, *Sub SB 4684, CH 153 (1982)
- Plant pests, diseases, as specified, emergency measures: Sub HB 994, *Sub SB 4684, CH 153 (1982)
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- Electrical inspection fees, cities, towns, use restriction specified: HB 1178
- Elevators, general revisions: SB 4630
- Nursing homes, requirements revised: *Sub HB 760, CH 11 E2 (1981)
- Property, real, revaluation: *Sub SB 3783, CH 46 E1 (1982)
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- Inmate labor, state facilities: HB 768
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- Liquor licenses, applications: HB 1005, *Sub HB 1063, CH 85 (1982)
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- Fireworks, regulations revised: Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Funeral directors, prearrangement contracts: *Sub HB 871, CH 66 (1982)
- Group plans, OFM policy approval: Sub HB 733
- Health care coverage, checks: *Sub HB 824, CH 168 (1982)
- Health care coverage, payments, restrictive assignment clauses prohibited: HB 882
- Health care services, premiums, labor disputes: *SB 3795, CH 149 (1982)
- Health maintenance organizations, financial procedures: HB 930, *SB 4701, CH 151 (1982)
- Insurance building, remodel: *Sub HB 1230, CH 48 E1 (1982) PV
- Insurers, assessment, conditions specified: HB 937, SB 4578
- Insurers, domestic/foreign: HB 899
- Insurers, domestic, investments, assets: *SB 4569, CH 218 (1982)
- Insurers, general revisions: *Sub HB 902, CH 181 (1982)
- Legal process, certain, fees increased: SB 3182
- Life insurance companies, unclaimed funds: *Sub HB 766, CH 1 E2 (1981)
- Life insurance, valuation, nonforfeiture: *Sub SB 4201, CH 9 E1 (1982)
- Medicare supplemental coverage: *Sub HB 891, CH 200 (1982) PV
- Motor vehicles, coverage not exceeding interest: Sub HB 892
- Motor vehicles, insurance, coverage: HB 344
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- PERS, deductions, group plan, authorized: *SB 4468, CH 135 (1982)
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- Rating bureaus, license requirements: HB 230
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- School districts, permanent insurance fund; SB 4647
- Self-insurance, school districts: *Sub HB 849, CH 191 (1982)
- Specified disease insurance act: Sub HB 815
- Speeding violations, insurance abstracts: Sub SB 3518
- State agencies, colleges, universities: HB 933
- State employees insurance board, multiple carriers: *HB 736, CH 34 E1 (1982)
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- Recreation guide, expenditure authorized: SB 3915

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- Homes, creatively financed, refinancing provisions: HB 1185
- Hospital districts, interest-bearing warrants: *HB 955, CH 84 (1982)
- Irrigation districts, delinquent assessments: *Sub SB 4852, CH 102 (1982)
- Joint operating agencies, payments: *HB 847, CH 1 (1982)
- Judgments, rate increased: HB 867, *HB 916, CH 198 (1982)
- Land, current use classification removal: Sub SB 4617
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- LID's, formation, financing, procedures modified: HB 519
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- Mortgages, tax deductions: HJM 21
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- Property tax, statements, lists: *Sub HB 764, CH 29 E1 (1982)

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- Convention and trade center, council created: SCR 116
- State trade fair fund, surplus funds, CED director: *HB 780, CH 2 E2 (1981)
- Trade agreements, far east nations: *HJM 14 (1982)

INVENTORIES

- B&O tax, leased personal property: *Sub HB 313, CH 174 (1982)
- Business inventory, property tax exemption: HB 791, HB 948
- Business inventory, tax credit freeze: Sub SB 4370
- Property, state, legislative budget committee, directed: Sub HCR 41
- Tax credit, 1983, delayed: *SB 5016, CH 12 E2 (1982)
- Taxation exemption, reporting, listing exemptions schedule: HB 313
- Timber, standing on public land: HB 821

INVESTIGATION AND INVESTIGATORS

- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Threats, governor, others, WSP investigation: *HB 745, CH 185 (1982)

INVESTMENTS (See also STATE INVESTMENT BOARD)

- Banks, trust companies: *HB 1074, CH 86 (1982)
- Cities, towns, pension system boards: *Sub HB 696, CH 166 (1982)
- Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
- County treasurers, investment service: *Sub SB 4505, CH 73 (1982)
- Economic stimulation, state investment board: *HCR 37 E1 (1982)
- Funds, local government, state treasurer appropriation: SB 4743
- Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)
- Insurers, domestic, investments, assets: *SB 4569, CH 218 (1982)
- Manufacturing firms, investment tax deferrals: SB 4402
- Public investment task force, established: SCR 147
- Savings and loan associations: *Sub HB 833, CH 3 (1982)
- School districts, funds: SB 4421, SB 4743
- School funds, excess, investment requirements: HB 771
- State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)

IRRIGATION DISTRICTS

- Assessments, delinquent, interest computation: *Sub SB 4852, Ch 102 (1982)
- Damages, official duties: Sub SB 3363
- Development charges, prohibited: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Energy conservation, residential structures: SB 3059, *HB 832, CH 42 (1982)
- Heating systems, establishment authorized: 2nd Sub SB 3033
- Property, real, recovery, statutory limitations exemption: Sub HB 932
- Short-term obligations, issuance authorized: *Sub SB 4728, CH 216 (1982)
- Withdrawal, property owners, conditions prescribed: Sub SB 4136
- Works construction projects, federal, state contracts: HB 198

ISLAND

- Island counties, unequal commissioner districts allowed: HB 1180, *Sub HB 58, CH 226 (1982) PV
- Island library districts, authorized: *HB 999, CH 123 (1982)

JAIL COMMISSION, STATE

- Facilities, county, remodeling authorized: *HB 1144, CH 87 (1982)
- Physical plant, operating, other standards: *Sub HB 774, CH 12 E2 (1981)
- Volunteer counseling services, development: HB 1100

JAILS

- Contraband, possession, crime: HB 706
- Counties, remodeling authorized: *HB 1144, CH 87 (1982)
- Criminally insane, conditional release: *HB 381, CH 112 (1982)
- Operations, services, interrelationships: HB 1143
- Space requirements, operating, other standards: *Sub HB 774, CH 12 E2 (1981)

JAPAN

- Legislature, joint session, Hyogo Prefectural Assembly: *HCR 36 (1982)
- Trade agreements, far east nations: *HJM 14 (1982)

JAPANESE-AMERICANS

- Internment, commemoration, state historical society: HB 483

JEFFERSON COUNTY

- Olympic county, established: HB 1153
- Superior court, judge, one authorized: *Sub SB 4449, CH 139 (1982)

JOHN WAYNE TRAIL (See also MILWAUKEE RAILROAD RIGHT OF WAY)

- Acquisition, unexpended funds: *Sub HB 811, CH 14 E2 (1981) PV
- Lands, acquired by state, adjacent land owners: HB 1021
- Milwaukee road, select committee, establishment: *SCR 143 E1 (1982)
- Structures, disposal, administrative costs: Sub HB 804

JOINT OPERATING AGENCIES

- Audits, contractors, subcontractors: HB 1032
- Cities, districts, public power contracts, current budget limitation: HB 1233
- Elections, bond authorization: *HB 1174, CH 88 (1982)
- Energy facilities, as defined, new applications: HB 975
- Executive board, reorganized: *SB 4996, CH 43 E1 (1982)
- Funds, disbursement, board, executive committee: HB 1031
- Interest, payments, maximum defined: *HB 847, CH 1 (1982)
- Materials, equipment, supplies, work procurement: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Nuclear plants, management: Sub HB 1217
- Nuclear plants 4, 5, construction, termination costs: HB 1212
- Projects, sale: Sub SB 4315
- WPPSS monitoring, special committee created: HCR 46, SCR 145

JOINT SESSIONS

- Address, Canadian Premier W. R. Bennett pp. 260-263
- Address, Governor, State of State pp. 188-190
- Certification of Election p. 191
- Hyogo Prefectural Assembly, Japan pp. 332-334
- Message to Legislature from Governor pp. 3-4

JOINT TENANCY

- Financial institutions, joint tenant accounts: HB 1187

JUDGES

- Appeals procedures revised: *SB 4947, CH 109 (1982)
- Civil actions, mandatory arbitration: *Sub HB 887, CH 188 (1982)
- Court congestion task force, established: *HB 864, CH 187 (1982)
- Juveniles, bail forfeiture program, authorized: HB 805
- Minors, under 14, employment: HB 1058
- Police courts, city, appellate procedures revised: SB 4489
- Pro tempore, appeals court judges: *SB 4491, CH 72 (1982)
- Retirement, disability: *Sub SB 3743, CH 18 (1982)
- Salaries, superior court, payment provisions revised: HB 903
- Superior court, new positions: HB 918, *Sub SB 4449, CH 139 (1982)

JUDGMENTS

Interest rate, increased: HB 867, *HB 916, CH 198 (1982)
 Irrigation districts, damages, official duties: Sub SB 3363
 Local improvement districts, foreclosure: *Sub HB 823, CH 91 (1982)
 Satisfaction, reporting requirements revised: HB 1029

JUDICIAL SYSTEM

Court congestion task force, established: *HB 864, CH 187 (1982)
 Law practice, legislature definition authorized: HJR 23

JURORS AND JURIES

Civil actions, jury trial demand, filing fee increased: HB 982

JUSTICE COURTS

Arraignment by counsel: HB 1192
 Attorneys' fees, prevailing parties, allowed: HB 983
 Jurisdiction, fines, imprisonment, increased: *SB 4493, CH 150 (1982)

JUSTICES OF THE PEACE

Part time, salaries increased: *Sub HB 751, CH 29 (1982)

JUVENILES

Adoption requirements revised: Sub HB 451
 Bail forfeiture program, authorized, conditions specified: HB 805
 Community social services, account created: HB 1235
 Confinement, private-not-for-profit group homes: Sub HB 870
 Detention facility, juvenile offenders: HB 706
 Disposition standards, adopted: SCR 105
 Diversion agreements, fines: HB 1056, SB 4733
 Diversion programs, Snohomish, Pierce, Clark counties: *Sub HB 811, CH 14 E2 (1981) PV
 Education, juveniles in detention: Sub HB 1089
 Manifest injustice, maximum confinement period specified: HB 769
 Penalties, monetary, deposit, use provisions: HB 1056, SB 4733

KENNEWICK (See also ENERGY FAIR '83)

Pasco-Kennewick bridge, across Columbia River, preservation specifications: 2nd Sub SB 3027

KINDERGARTEN

School year defined: *SB 3587, CH 158 (1982)

KING COUNTY

Convention and trade center, council created: SCR 116
 Convention and trade center, nonprofit, bond issuance: *Sub HB 1015, CH 34 (1982)

KING, MARTIN LUTHER, JR

Holiday, school, legal, human relations day: HB 1196

KITSAP COUNTY

Frances Haddon Morgan children's center: *SB 4199, CH 89 (1982)

KITITAS COUNTY

Legislative districts, 12 and 13, modified: HB 1085

LABOR AND INDUSTRIES, DEPARTMENT OF

Apprenticeship programs, fees: *HB 796, CH 39 E1 (1982)
 Assault victims, under 16, reporting requirement: HB 151
 Contractors, definition revised: HB 1033, *Sub SB 4216, CH 18 E1 (1982)
 Contractors, public works, wages: *Sub SB 4501, CH 130 (1982)
 Displaced homemaker program: *HB 286, CH 15 E1 (1982)
 Electrical inspection fees, cities, towns: HB 1178
 Elevators, general revisions: SB 4630
 Explosives, sales, gift, disposal: HB 22
 Farm labor contractors, licensing provisions repealed: HB 1058

LABOR AND INDUSTRIES, DEPARTMENT OF—cont.

- Forms reduction act, requirements: *SB 4559, CH 214 (1982)
- Industrial welfare committee, abolished, duties transferred: Sub HB 858, HB 1058, *Sub HB 762, CH 163 (1982)
- Minors, work permits, rules establishment directed: HB 795
- Occupational information service: *Sub HB 920, CH 43 (1982)
- Plumbers, regulations revised: HB 1061
- Rehabilitation review office, created: *HB 454, CH 63 (1982)
- Self-insurance, school districts: *Sub HB 849, CH 191 (1982)
- User fees, prevailing wage law administration: *HB 795, CH 38 E1 (1982)

LABOR AND LABOR RELATIONS

- AFDC, eligibility, income limits: *2nd Sub HB 756, CH 10 E2 (1981)
- Community colleges, RIF procedures: *Sub HB 782, CH 13 E2 (1981)
- Employment incentive act: HB 1065
- Fact-finding procedures: SB 3405
- Farm labor contractors, licensing provisions repealed: HB 1058
- Farm workers shelter council, created: HB 1051
- Ferry system, employees, labor relations: HB 1107, HB 1232, Sub SB 4609
- Health care facilities, certain, regulations repealed: HB 1058
- Health care, mandated, joint select committee: *Sub SCR 137 (1982)
- Health care services, premiums, labor disputes: *SB 3795, CH 149 (1982)
- Joint operating agencies, materials, equipment: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Occupational information service: *Sub HB 920, CH 43 (1982)
- Public employment relations commission, mediation services: HB 767
- Shared work, unemployment compensation benefits: HB 1076, SB 4745
- Skills, economy, joint select committee created: HCR 45
- Unemployment compensation, disqualification, labor dispute: HB 660, *SB 3944 V
- Unfair labor practices, complaints: HB 1133
- Wages, prevailing, public works job sites: *Sub SB 4501, CH 130 (1982)

LAKE OSOYOOS

- International water control structure, acquisition: *Sub SB 4846, CH 76 (1982)

LAKES

- Capitol, rehabilitation, phase III: *Sub HB 1230, CH 48 E1 (1982) PV
- Restoration, LID's authorized, as specified: HB 1172

LAND DEVELOPERS

- Development charges, imposition prohibited: Sub HB 312, HB 817, Sub HB 1014, HB 1219, *SB 4972, CH 49 E1 (1982)
- Land purchase, commercial or industrial use: HB 717

LANDLORD-TENANT ACT

- Self-service storage facility landlord-tenant act, enacted: HB 1151
- Tenants, public service charges owed, lien prohibited: Sub HB 329

LAW ENFORCEMENT

- Blue lights, motor vehicles: HB 825
- Check stations, game department: *Sub SB 4550, CH 155 (1982)
- Crime victims compensation: HB 794, 2nd Sub HB 828
- Criminal history record information systems: HB 1064
- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Drinking deterrence and treatment fund: HB 1164, HB 1229
- Drivers, unlicensed, vehicle impoundment: *Sub SB 3549, CH 8 (1982)
- Fire, failure to report, crime defined: SB 3292
- Hotel, motel tax revenues, specified uses expanded: HB 1115
- Humane societies, police powers specified: *HB 621, CH 114 (1982)
- Inmates, leaves of absence, authorized: HB 967
- Lights, sirens, motor vehicles, use designation: *Sub SB 4826, CH 101 (1982)

LAW ENFORCEMENT—cont.

- Motor vehicles, nonresident violator compact: *Sub SB 4750, CH 212 (1982)
- Motor vehicles, owners' lists, availability: *SB 4544, CH 215 (1982)
- Riots, penal institutions: *Sub HB 965, CH 49 (1982)
- Service districts, counties, establishment authorized: HB 846
- Uniform crime reports program: *Sub HB 1130, CH 125 (1982)

LAW ENFORCEMENT OFFICERS

- Accidents, motor vehicles, official business: *SB 3233, CH 52 (1982)
- Civil immunity, as specified, provided: HB 1008
- Escapees, arrest warrants: HB 970
- LEOFF, county disability board: *SB 4635, CH 12 (1982)
- Police dog handlers, civil immunity: *HB 289, CH 22 (1982)

LAW REVISION COMMISSION

- Created, members, terms, duties: *HB 826, CH 183 (1982) PV

LEASES

- Aquatic lands joint legislative committee: *Sub SB 4824, CH 21 E1 (1982)
- Aquatic lands task force, convening: 2nd Sub HB 1093
- Buildings, publicly owned, renewable energy systems: *SB 3156, CH 159 (1982)
- Business inventory, leased personal property: *Sub HB 313, CH 174 (1982)
- Crab licenses, commercial, rented vessels: *SB 4464, CH 157 (1982)
- Criminal justice training commission, training facilities: *HB 1066, CH 124 (1982)
- Facilities, state, energy audits, conditions: *2nd Sub HB 658, CH 48 (1982)
- Mobile homes, certain, use tax liability exclusion: HB 1206
- Property, personal, lease considered true lease: HB 1179
- Public land, negotiated, commercial, industrial, residential purposes: HB 910
- Public land, agriculture, grazing: *Sub SB 4163, CH 54 (1982)
- Self-service storage facility landlord-tenant act, enacted: HB 1151
- Tenants, public service charges owed: Sub HB 329
- Tidelands, harbor areas, requirements modified: SB 3565

LEAVES AND SABBATICALS

- Inmates, leaves of absence, authorized: HB 967
- Leave-without-pay program: HB 1228, *Sub HB 1226, CH 53 E1 (1982) PV
- Vacation, public employees, unused, accrued: *Sub SB 5007, CH 51 E1 (1982)
- Vacation, state employees, accrual revisions: 2nd Sub HB 95

LEGAL PROFESSION

- Law practice, legislature definition authorized: HJR 23
- Law revision commission, created: *HB 826, CH 183 (1982) PV

LEGAL SERVICES

- Arraignment by counsel: HB 1192
- Bonds, issuance, competitive bid requirement: HB 925
- County clerks, legal actions: HB 981
- Law practice, legislature definition authorized: HJR 23
- Real estate sales, documents preparation, nonlawyers, permitted: HJR 25

LEGISLATIVE BILLS

- Consideration, 1982 first special session, limitations specified: *SCR 150 E1 (1982)
- Reintroduction, 1981 second special session: *HCR 31 E1 (1981)
- Reintroduction, 1982 first special session: *SCR 149 E1 (1982)
- Reintroduction, 1982 regular session: *SCR 131 (1982)
- Transmittal, retention, house of origin, 1981 second special session: *SCR 128 E2 (1981)
- Transmittal, retention, house of origin, 1982 regular session: *SCR 148 (1982)

LEGISLATIVE BUDGET COMMITTEE

- Beer, wine sales, state liquor stores, authority removal: Sub HB 1039
- Cancer research, cigarette tax, increased: HB 885

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

LEGISLATIVE BUDGET COMMITTEE—cont.

- Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
- Geographic names board, performance audit requirements: HB 527
- Insurance, proprietary coverage, state agencies: HB 933
- Medium security correction facility, plans evaluation: *Sub HB 808, CH 23 E1 (1982)
- Minors, under 14, employment, judicial permission: HB 1058
- Productivity board, created: Sub HB 837
- Property, state, inventory directed: Sub HCR 41
- Readable law program, performance audit required: Sub HB 835
- Remodeling, relocation, state agencies: *Sub HB 811, CH 14 E2 (1981) PV
- Rules, administrative, statutes, language requirement: Sub HB 835
- State lottery, revenues apportionment: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
- Utilities and transportation commission, public counsel; HB 827
- Veterans' loan insurance, references deleted: HB 972, SB 3017

LEGISLATIVE ETHICS

- Compensation, continuing, reporting required: Sub HB 1120
- Conflicts of interest, disclosure required: HB 1126
- Contracts, governmental units: Sub HB 1121
- Fund raising activities, during sessions, limitations specified: Sub HB 1125
- Fund raising events, state employee solicitation: HB 1124
- Honorariums, reporting required, as specified: Sub HB 1122
- Jurisdiction, former legislators, employees: SB 3921

LEGISLATORS (See also LEGISLATIVE ETHICS)

- Budget and accounting act, enforcement: HB 1016
- Compensation, continuing, reporting: Sub HB 1120
- Conflicts of interest, disclosure required: HB 1126
- Contracts, governmental units: Sub HB 1121
- Felony conviction, salary terminated: SB 3864
- Fund raising activities, during legislative sessions: Sub HB 1125
- Fund raising events, state employee solicitation: HB 1124
- Honorariums, reporting required, as specified: Sub HB 1122
- Motor vehicles, exclusive use prohibited: *Sub HB 1226, CH 53 E1 (1982) PV
- Public disclosure, additional information requirement: HB 993
- Salaries, increases, delayed: Sub SB 5006

LEGISLATURE

- Adjournment date, subject matter, specified: *SCR 151 E2 (1982)
- Adjournment sine die, governor notified; *SCR 129 E2 (1981), *HCR 48 (1982), *HCR 54 E1 (1982), *SCR 152 E2 (1982)
- Agencies, rules review: Sub HB 838
- Agency rules, proposed, review procedures prescribed: *HCR 52 E1 (1982)
- Aquatic lands joint committee: *Sub SB 4824, CH 21 E1 (1982)
- Blind commission, abolished, duties transferred: Sub HB 799
- Budget stabilization account: *Sub HB 1109, CH 36 E1 (1982)
- Capital improvements: *Sub HB 1230, CH 48 E1 (1982) PV
- Centennial celebration, task force creation: HCR 38
- Court congestion task force: *HB 864, CH 187 (1982)
- Data processing select committee, created: HCR 51
- Educational policies, structure: *SB 3609, CH 33 E1 (1982)
- Emergency management, select committee: SCR 142
- Executive rules committee provisions: *HCR 53 E1 (1982)
- Expenditures, legislative joint committee: HJR 13
- Expo '86, joint select committee: *SCR 138 E1 (1982)
- Federal reserve, audit, independent: *SCR 127 (1982)
- Financial responsibility, residential and nonresidential services: *Sub SB 4418, CH 201 (1982)

* — Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

LEGISLATURE—cont.

- Fire districts, funding, services: *SB 4972, CH 49 E1 (1982)
 Highway construction, federal-aid: *Sub SB 4469, CH 19 (1982)
 Indian affairs, joint select committee: HCR 43
 Inmate labor, state facilities: HB 768
 Interim business provisions: *HCR 53 E1 (1982)
 Investments, state investment board: *HCR 37 E1 (1982)
 Jails, standards, changes: Sub HB 774
 John Wayne trail, select committee: SCR 143
 Joint session, Hyogo Prefectural Assembly, Japan: *HCR 36 (1982)
 Joint session, Governor Spellman address: *HCR 32 (1982)
 Joint session, address, Honorable W R Bennett, Premier of British Columbia: *HCR 34 (1982)
 Joint session, Governor Spellman address: *HCR 30 E2 (1981)
 Juveniles, disposition standards, adopted: SCR 105
 Labor skills, economy, joint committee created: HCR 45
 Law practice, legislature definition authorized: HJR 23
 Law revision commission, created: *HB 826, CH 183 (1982)
 Legislative coordinating council, establishment, members: HB 1213
 Legislative districts, 40 and 42, modified: HB 1188
 Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
 Legislative districts, 12, 13, 35, modified: HB 1085
 Legislative facilities, joint committee, created: Sub SB 3328
 Mandated health care, joint select committee established: *Sub SCR 137 (1982)
 Milwaukee road, select committee: *SCR 143 E1 (1982)
 National history contest, students participation: *SCR 146 (1982)
 NORAD, 25th region, McChord, congratulated: *HCR 47 (1982)
 Oil and gas joint committee formation: *HCR 50 E1 (1982)
 Organized, governor notified: *SCR 123 E2 (1981), *SCR 130 (1982), *HCR 49 E1 (1982), *HCR 55 E2 (1982)
 Property, state, inventory: Sub HCR 41
 Public investment task force, established: SCR 147
 Radioactive waste, joint select committee: SCR 140
 Recreation guide, legislative report: SB 3915
 Redistricting and reapportionment, remedies recommendation: Sub HB 786
 Redistricting commission, establishment: HJR 14, Sub SJR 108
 Ride-sharing programs: SCR 135
 Rules, administrative, statutes, language requirement: Sub HB 835
 Rules, proposed, filing requirement removed: *SB 4660, CH 221 (1982)
 Salmon management plan: Sub SB 3257
 School employees, retired, annual report: Sub HB 987
 Schools, abuse prevention programs, SPI: HCR 35, Sub SCR 134
 Session laws, journals, distribution, statute law committee requirements: HB 1080, *SB 4717, CH 32 E1 (1982)
 Sexual victimization, clients: HCR 44
 Shoreline management, select committee created: HCR 39
 State building code, joint select committee: SCR 139
 St. Helens, disaster relief, select committee: *SCR 126 E2 (1981)
 Tax advisory council: *SB 4992, CH 41 E1 (1982)
 Telephone systems, joint select committee: *HCR 33 (1982)
 Timber sales, procedures, modifications: *HCR 42 (1982)
 Tuition, fees, higher education, setting mandated: HB 1111
 Utility rates task force, created: HCR 40
 Voting boundary commission act: Sub HB 786, *Sub HB 787, CH 2 (1982)
 WPPSS monitoring, special committee created: HCR 46, SCR 145

LEVIES

- Cities, towns, counties, annual levy limit: HB 1219

LEVIES—cont.

- LID's, formation, financing: HB 519
- Limit, 106%: Sub HB 17
- Port districts, industrial development levies: HB 1116, *Sub SB 4963, CH 3 E1 (1982)
- Public utility districts, annual levies eliminated: HB 1222
- Road districts, excess levies authorized: HB 370
- Schools, bond issues, forty percent requirement removed: HB 997
- Schools, excess levy forty percent, requirement, removed: HJR 20
- Schools, excess levy maintenance and operation: HB 998
- Schools, 106% levy lid, state exclusion: HB 312
- State, property tax, apportionment: *SB 4634, CH 28 E1 (1982)

LIABILITY (See also PRODUCT LIABILITY)

- Carnival rides, operators, insurance required: HB 1198
- Hazardous materials, transportation: HB 816, *HB 883, CH 172 (1982)
- Insect stings, shot administration: HB 928
- Motor vehicles, insurance, coverage: HB 344
- Motor vehicles, insurance, mandatory liability: Sub HB 892, HB 1057
- Oral medication, students: *2nd Sub SB 3541, CH 195 (1982)
- Pesticides, application, emergency measures: Sub HB 994, *Sub SB 4684, CH 153 (1982)
- Police dog handlers, civil immunity, penalty for harming: *HB 289, CH 22 (1982)
- Practical nursing board, members, immunity: Sub HB 274
- Prison overcrowding reform act: HB 922
- Railroad trespassers, employee liability immunity: HB 114, *SB 4512, CH 141 (1982)
- Schools, property damage, pupil liability: *Sub HB 462, CH 38 (1982)
- State patrol, conviction records release: *Sub SB 4775, CH 202 (1982)

LIBRARIES AND LIBRARY DISTRICTS

- Codes, filing, local government: *Sub HB 58, CH 226 (1982) PV
- Island library districts, authorized: *HB 999, CH 123 (1982)
- Records, public disclosure exemption: Sub SB 4683, *Sub HB 476, CH 64 (1982)

LICENSE PLATES

- Disabled persons, use: SB 3001
- Horseless carriage plates: *SB 4547, CH 143 (1982)
- ReflectORIZED, standards specified: HB 1200
- Renewal, prohibited parking violations: *Sub HB 268, CH 14 E1 (1982)
- Veterans, disabled, prisoners of war, free: *HB 623, CH 115 (1982)

LICENSES AND LICENSING, DEPARTMENT OF

- Accidents, motor vehicles, official business: *SB 3233, CH 52 (1982)
- Accountants, registration requirements: HB 549
- Advisory committees, director, appointment authority: *Sub HB 778, CH 227 (1982)
- Athletic agencies, regulation requirements: HB 1157
- Auctioneer's licensing act: *Sub HB 436, CH 205 (1982)
- Audiologists defined: Sub HB 1150
- Automation equipment, vehicle title: *SB 4549, CH 57 (1982)
- Automotive repairs, regulations revised: *HB 375, CH 62 (1982)
- Barbers, instructor licensing, persons over 18, allowed: Sub HB 148
- Boating registration system: HB 1100, HB 1241
- Businesses, licensed retail: HB 792
- Businesses, occupations, trades, unincorporated areas: SB 4421
- Business license center, master license system: *Sub HB 878, CH 182 (1982)
- Camping clubs, contracts, regulations: *HB 1017, CH 69 (1982)
- Charity gift annuity businesses: HB 938
- Cigarette wholesalers, fees increased: *HB 1092, CH 16 E1 (1982)
- Cosmetology regulations, revised: *2nd Sub HB 378, CH 225 (1982) PV
- Crab fishing, commercial: HB 842, *SB 4464, CH 157 (1982)
- Day care services, homes, standards: Sub HB 860

LICENSES AND LICENSING, DEPARTMENT OF—cont.

Drivers' licenses, occupational: Sub SB 4153, *HB 537 V
 Drivers, unlicensed, vehicle impoundment: *Sub SB 3549 CH 8 (1982)
 Employment agency advisory board: *Sub HB 778, CH 227 (1982)
 Equipment commission, vice-chairman, state patrol chief's absence: *SB 4551, CH 106 (1982)
 Farm labor contractors, provisions repealed: HB 1058
 Fees, business, professional: *Sub SB 4561, CH 162 (1982)
 Fireworks, regulated: Sub SB 4597, *Sub HB 1149, CH 230 (1982)
 Forms reduction act, requirements: *SB 4559, CH 214 (1982)
 Funeral directors, embalmers: *Sub HB 871, CH 66 (1982)
 Go-go dancers, regulations: HB 801
 Grocery stores, pilot program: HB 818, *Sub HB 878, CH 182 (1982)
 Horseless carriage plates: SB 4547, CH 143 (1982)
 Insurance examining, rating bureaus, requirements: HB 230
 Insurance, licensees, felony convictions: *Sub HB 902, CH 181 (1982)
 Insurers, domestic/foreign, domicile transfer: HB 899
 Marriage: *3rd Sub HB 179, CH 4 (1982), *HB 286, CH 15 E1 (1982)
 Motorcycle safety education account: *Sub SB 4692, CH 77 (1982)
 Mountain goats, sheep, game license fees increased: SB 4726
 Multistate motor fuel tax agreement: *Sub SB 4562, CH 161 (1982)
 Nonprofit arts organizations, fee imposed: HB 342
 Nursing homes, DSHS revisions: *Sub HB 760, CH 11 E2 (1981)
 Physical therapy board, membership increase: Sub SB 3332
 Pistols, concealed, license requirements: *HB 600, CH 47 E1 (1982) PV
 Plumbers, regulations revised: HB 1061
 Podiatry board, established: *Sub HB 174, CH 21 (1982)
 Practical nurse examiners board, regulations revised: Sub HB 274
 Real estate, time-sharing regulated, appropriation: 2nd Sub SB 3775
 Reciprocity commission, abolished: *Sub HB 778, CH 227 (1982)
 Secured transactions, financing statements: *HB 822, CH 186 (1982)
 Self-service storage facility landlord-tenant act: HB 1151
 Sexual victimization, clients: HCR 44
 Snowmobiles, registration fees increased: *HB 896, CH 17 (1982)
 State lottery: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
 Storage facilities, self-service storage facility landlord-tenant act: HB 1151
 Veterinarians, regulations revised: *SB 4718, CH 134 (1982)

LIENS

Property tax, deferrals, interest rate: Sub HB 506, Sub HB 647
 Real property, sales, local excise tax imposed: *SB 4972, CH 49 E1 (1982)
 Social and health services financial responsibility act: Sub HB 759
 Tenants, public service charges owed: Sub HB 329
 Travel trailers, campers, delinquent tax interest: HB 992

LIEUTENANT GOVERNOR

Threats, as specified, WSP investigation: *HB 745, CH 185 (1982)

LIGHTS

Blue lights, game, fisheries departments, parks and recreation commission, use authorized: HB 825
 Energy efficient thermal, commercial, residential buildings: SB 3310, SB 4113
 Law enforcement vehicles: *Sub SB 4826, CH 101 (1982)
 Street lighting systems, sewer, water districts: *SB 4602, CH 105 (1982)

LIQUOR AND LIQUOR CONTROL BOARD

Alcoholic beverage business, financial interest: Sub SB 4546, SB 4729, HB 862, HB 1059, *Sub HB 1063, CH 85 (1982)
 Alcohol-related traffic offenses and victim indemnification: HB 1147, HB 1229

LIQUOR AND LIQUOR CONTROL BOARD—cont.

- Beer and malt liquor, redefined: *Sub HB 571, CH 39 (1982)
- Beer and wine sales, state liquor stores, authority removal: Sub HB 1039
- Beer instruction, licensees, breweries, wholesalers, permitted: *SB 4748, CH 26 E1 (1982)
PV
- Containers, beverage, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
- Draft beer dispensing equipment, advertising: HB 1090
- Drinking deterrence and treatment fund, established: HB 1164
- Licenses, applications: HB 1005, *Sub HB 1063, CH 85 (1982)
- Licenses, class B, businesses, gambling activity specified: HB 1102
- Licenses, class K, provisions modified: SB 4703
- Minimum age qualifications: Sub HB 148
- Nonprofit arts organizations: HB 342
- Prosecutions, prosecuting attorney's annual summary: HB 1060
- Surcharge, increased: *SB 5032, CH 14 E2 (1982)
- Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV
- Warehouses, stores, acquisition: *Sub HB 810, CH 41 (1982)
- Wine, beer, sales, state liquor stores, authority removed: Sub HB 1039
- Wine, grape production, industry research: Sub HB 893, Sub SB 3408
- Wine importers, wholesalers, financial interests defined: HB 862
- Wine instruction, enology study groups: Sub SB 4526, *SB 4748, CH 26 E1 (1982) PV
- Wine licenses, J, wine dispensing equipment: Sub SB 4755
- Wine research, portion of liquor tax imposed: Sub HB 893
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85
(1982)

LITTER

- Model litter control and recycling program: *Sub HB 875, CH 223 (1982) PV

LIVESTOCK

- Brucellosis adult vaccinated cattle, retesting requirements: *Sub SB 4046, CH 131 (1982)
- Cattle assessments, increased: Sub SB 4439, *HB 947, CH 47 (1982)
- Commercial feed act, general revisions: *Sub HB 1131, CH 177 (1982)
- Commission merchants, agricultural products definition: *Sub SB 4438, CH 194 (1982)
- Commission merchants, dealers, payment requirements, prohibited acts: *Sub SB 4437, CH
20 (1982)
- Public land, leases, grazing, revisions allowed: *Sub SB 4163, CH 54 (1982)
- Sales, disease free, no implied warranties: *SB 4436, CH 199 (1982)

LOANS

- Budget stabilization act: Sub HB 1109
- Cities, towns, public utility projects: *HB 554, CH 24 (1982)
- Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
- Due on sale clauses, residential loans, prohibited: HB 1195
- Economic assistance authority, sunset termination deleted: HB 1101
- Energy conservation, renewable energy sources: 2nd Sub SJR 111
- Guaranteed student loans, continuation petitioned: HJM 26, *Sub SJM 118 (1982)
- Higher education institutions, student aid: *2nd Sub HB 784, CH 37 E1 (1982)
- Homes, creatively financed, refinancing provisions: HB 1185
- Motor vehicles, owners' lists: *SB 4544, CH 215 (1982)
- Savings and loan associations, modified: *Sub HB 833, CH 3 (1982)
- Single family dwellings, new, temporary property tax exemption: HB 1095
- Veterans' loan insurance, references deleted: HB 972, SB 3017

LOBBYISTS AND LOBBYING

- Public disclosure, reports, time frame: *Sub SB 3249, CH 147 (1982)
- Public disclosure, violations, uniform penalties: SB 4473

LOCAL IMPROVEMENT DISTRICTS

- Aquatic plant control: HB 1172

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

LOCAL IMPROVEMENT DISTRICTS—cont.

Assessments, delinquent, foreclosure: *Sub HB 823, CH 91 (1982)

Assessments, installment payments: *SB 4488, CH 96 (1982)

Formation, financing, procedures modified: HB 519

Streets, roads, financing methods specified: HB 1114

LOTTERIES

State lottery, establishment: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)

MANUFACTURERS AND MANUFACTURING

Alcoholic beverage businesses, financial interests: HB 862, *Sub HB 1063, CH 85, (1982)

Businesses, licensed retail: HB 792

Coupons, certain, trading stamp license exemptions: HB 1068

Direct molding process, products duplication, prohibited: HB 1166

Investment tax deferrals, tax payment requirements: SB 4402

Motor vehicles, owners' lists: *SB 4544, CH 215 (1982)

Wine importers, wholesalers, financial interests defined: HB 862

Wine licenses, J, wine dispensing equipment, advertising: Sub SB 4755

Wood product processing facilities: HB 1182

MAPS

Fees, DNR, authorized, engineering services division: *Sub HB 1012, CH 165 (1982)

MARRIAGE

License fees, additional imposed: *3rd Sub HB 179, CH 4 (1982)

License fees, displaced homemaker program: *HB 286, CH 15 E1 (1982)

Sexual victimization, clients: HCR 44

Validity declaration, proceedings commencement certification requirement: HB 1028

MCNEIL ISLAND CORRECTIONAL FACILITY AND MCNEIL ISLAND

Repairs, heating, ventilating system, energy audit, corrections department appropriation: *Sub HB 808, CH 23 E1 (1982)

Salmon rearing net pen complex: *Sub HB 1230, CH 48 E1 (1982) PV

MEAT AND MEAT PRODUCTS

Perishable, slaughterers, processors, sellers, B&O tax decreased: HB 1004

MEDICARE

Supplemental insurance coverage, standards: *Sub HB 891, CH 200 (1982) PV

MEMORIALS

Budget, federal, balanced, constitutional amendment, convention: HJM 1, HJM 27, SJM 105

Emission control program: HJM 24

Enterprise zone act, passage petitioned: HJM 22

Federal land and water conservation: SJM 120

Federal property, service charges, imposition, petitioned: HJM 19

Fish enhancement projects, federal funding petitioned: SJM 110

Fish, other natural resources, tribal claims, rights, settlement: HJM 20, HJM 28, SJM 132

Minimum wage level, international trade equity: SJM 134

Mt. St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)

Navigation projects, federal, full funding maintenance petitioned: *SJM 115 E1 (1982)

Northwest interstate compact on low-level radioactive waste management: Sub SJM 124

Nuclear weapons, mutual freeze: SJM 133

Postsecondary student assistance programs: HJM 26, *Sub SJM 118 (1982)

Property taxes, mortgage interest tax deductions: HJM 21

Radioactive wastes, high-level, federal policies: HJM 23, SJM 116

Refugees, federal assistance, continuance petitioned: HJM 25

State route 504, renamed Spirit Lake memorial highway: *SB 4706, CH 82 (1982)

Trade agreements, far east nations, appropriate negotiations: *HJM 14 (1982)

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

MEMORIALS—cont.

User fees, federal navigation projects: *SJM 115 E1 (1982)
 Veterans' memorial parks, cemeteries, establishment: HB 836

MENTAL HEALTH SERVICES

Agent orange, delayed stress syndrome: *SB 4619, CH 97 (1982)
 Community mental health program: HB 853
 Community mental health services act, revised: HB 1046, *Sub SB 4786, CH 204 (1982)
 Counselors, professional, prohibited practices prescribed: HB 953, HB 954
 Insurance, group health care, disability, HMO, inclusion: HB 1146
 Mental health contributions account, established: HB 1204
 Posttraumatic stress disorder training: HB 470
 Volunteer counseling services: HB 1106

MENTAL ILLNESS

Community mental health services act, revised: HB 1046, *Sub SB 4786, CH 204 (1982)
 Criminal defendants, sentence requirements: HB 873
 Criminally insane, conditional release: *HB 381, CH 112 (1982)
 Insanity, reason for felony acquittal: HB 494, HB 1258
 Posttraumatic stress disorder training: HB 470

METALS

Solid wastes, ownership: HB 735

METERS

Utility, tampering with, payment requirement: HB 1034

METRIC SYSTEM

Wood product processing facilities, metric system conversion, B&O tax credit: HB 1182

MILITIA AND MILITARY AFFAIRS

Military department, program reduction: *Sub SB 4369, CH 50 E1 (1982) PV
 NORAD, 25th region, McChord, members congratulated: *HCR 47 (1982)
 Uniform allowance, payment at option: *SB 3847, CH 93 (1982)

MILK AND MILK PRODUCTS

Coupons, sales, prohibition removed: HB 1068

MILWAUKEE RAILROAD RIGHT OF WAY

Acquisition, unexpended funds, use: *Sub HB 811, CH 14 E2 (1981) PV
 Lands, acquired by state, certain, adjacent land owners: HB 1021
 Select committee, establishment: *SCR 143 E1 (1982),
 Structures, disposal, administrative costs: Sub HB 804

MINERAL RIGHTS

Unused, as specified, surface property owner: HB 1181

MINIMUM WAGE

Youth development, conservation corps: HB 273, *SB 4313, CH 70 (1982)

MINING

Mineral rights, unused, as specified: HB 1181
 Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)

MINORS

Abortion, emancipated minor, notification if possible: Sub HB 226
 Adults only materials, sale, exhibit, penalties: HB 1081
 Card games, fund raising events, participation prohibited: HB 904
 Employment, persons under 14, judicial permission requirement repealed: HB 1058
 Explosives, sales prohibited: *HB 22, CH 111 (1982)
 Hospitals, trustees boards, minimum age requirement removed: HB 1173
 Minimum age qualifications: Sub HB 148
 Prostitution, class C felony: Sub HB 293
 Work permits, L&I rules establishment: HB 795

MISDEMEANORS (See also **CRIMES AND CRIMINAL PROCEDURES**)

- Auctioneer's licensing act: *Sub HB 436, CH 205 (1982)
- Bail, persons charged, assessment: SB 3301
- Campaign materials, mailing at public expense: *HB 829 V
- Camping spaces, use, nonpayment, gear removal, misdemeanor: HB 1170
- Card games, fund raising events, minors, participation prohibited: HB 904
- Checks, unlawfully issued, payment time period reduced: HB 988, *SB 4366, CH 138 (1982)
- Controlled substances, imitation, defined: Sub HB 820, *Sub HB 15, CH 171 (1982)
- Day care homes, as defined, nonregistration, operation: HB 758
- Firearms, dangerous weapons, school premises: *HB 600, CH 47 E1 (1982)
- Fire, refusal to report, crime defined, penalty prescribed: SB 3292
- Firewood, fuel use, grading required: HB 1094
- Forest land, live coals, fire, deposit: HB 223
- Funeral directors, prohibited activities: *Sub HB 871, CH 66 (1982)
- Gasoline prices, display visible: HB 881
- Go-go dancers, unlicensed, licensed premises: HB 801
- Hunting, interference with, prohibited: HB 1055
- Motor vehicles, insurance, required: HB 344
- Real estate, time-sharing regulated: 2nd Sub SB 3775
- Speeding violations: Sub SB 3518
- Unemployment compensation, disqualification, recovery: *Sub SB 4216, CH 18 E1 (1982)

MOBILE HOMES AND MOBILE HOME LANDLORD-TENANT ACT

- Dealers, inventory, used, ad valorem taxation exemption: HB 1206
- Liens, property tax deferrals: Sub HB 647
- Tenancy termination, without cause, prohibited: HB 917
- Used, definition, sales, use tax paid: HB 1206
- Violations, wilful, prevailing party award authorized: HB 917

MODEL TRAFFIC ORDINANCE

- Updated: HB 86, *HB 1067, CH 25 (1982)

MONEY

- Federal reserve, power to create, intent declared: *SCR 127 (1982)

MONUMENTS

- Japanese-Americans, internment, commemoration: HB 483

MOORAGE

- State parks, selected: HB 865, *Sub SB 4369, CH 50 E1 (1982) PV

MORAL NUISANCES

- Adults only materials, sale, exhibit, distribution to minors, civil penalties prescribed: HB 1081
- Defined, enforcement authority: *Sub HB 626, CH 184 (1982)
- Obscene materials, performances, definitions, prohibitions, criminal actions specified: HB 927

MORGAN, FRANCES HADDON

- Children's center, Bremerton, Kitsap county, residential school establishment: *SB 4199, CH 89 (1982)

MORTGAGES

- Due on sale clauses, residential loans, prohibited: HB 1195
- Home, creatively financed, refinancing provisions: HB 1185
- Hospital districts, existing property, health care facilities funding, prohibited: *HB 955, CH 84 (1982)
- Housing finance commission, creation: HB 1175
- Interest, tax deductions, continuation and increase petitioned: HJM 21
- Satisfaction, damages, reasonable attorneys' fees allowed: SB 4517

MOSQUITO CONTROL DISTRICTS

Tax, minimum, modified: *SB 4599, CH 217 (1982)

MOTELS

Convention and trade facilities, financing provisions: *Sub HB 1015, CH 34 (1982)
Parks, municipal facilities, other capital improvements, special tax receipts, use: SB 3318
Tax revenues, additional uses specified: HB 1115

MOTORCYCLES AND MOTORBIKES

Motorcycle safety education account, advisory committee, created: *Sub SB 4692, CH 77 (1982)

MOTOR FREIGHT

Carriers, for hire, multiple taxation: *HB 752, CH 169 (1982)
Commercial zones, terminals, established: *SB 4484, CH 71 (1982)
Multistate motor fuel tax agreement: *Sub SB 4562, CH 161 (1982)
Transportation costs, value, use tax: HB 963
Trucking industry, partial deregulation, legislative transportation committee, study directed: Sub SCR 107

MOTOR VEHICLES

Accidents, official business: *SB 3233, CH 52 (1982)
Blue lights, game, fisheries departments, parks and recreation commission, use authorized: HB 825
Child safety restraints: Sub HB 288, SB 4548
Drivers, unlicensed, vehicle impoundment: *Sub SB 3549 CH 8 (1982)
Driving record abstracts, fees increased: HB 1023
Excise tax for public transportation: HB 1254
Excise tax, surcharge increase: *SB 5032, CH 14 E2 (1982)
Gasoline prices, display visible: HB 881
Gasoline prices, gas tax, omission from selling price: *HB 854, CH 6 E1 (1982)
Horseless carriage plates: *SB 4547, CH 143 (1982)
Insurance, coverage, required: HB 344
Insurance, mandatory liability coverage required: Sub HB 892, HB 1057
Licenses, renewal, prohibited until parking violations satisfied: *Sub HB 268, CH 14 E1 (1982)
Lists, owners, licensing department, availability: *SB 4544, CH 215 (1982)
Motor vehicle fund distributions: HB 595
Nonresident violator compact, motorist violations: *Sub SB 4750, CH 212 (1982)
Ownership, valid driver's license requirement: HB 839
Pistols, concealed, license requirements: *HB 600, CH 47 E1 (1982) PV
Propane, natural gas, use: HB 1002
Proportional registration, procedures established: Sub SB 3993
Repairs, regulations revised: *HB 375, CH 62 (1982)
Ride-sharing: SCR 135, *Sub SB 4545, CH 142 (1982)
Speeding violations, insurance abstract exclusion: Sub SB 3518
Speed limit, maximum, national: HB 576
State, nonbusiness use proscribed: *HB 1226, CH 53 E1 (1982) PV
Studded tires, special sales, use taxes imposed: HB 1137
Transportation companies, taxation provisions deleted: HB 764
Trucks, owner-operators, workers compensation coverage: *SB 4558, CH 80 (1982)
Used, sold by dealers, emission control testing exemption: HB 915
Veterans, disabled, prisoners of war, license plates: *HB 623, CH 115 (1982)

MOUNT ST HELENS

Commemorative stamp issuance petitioned: *HJM 15 (1982)
Disaster relief, select committee establishment: *SCR 126 E2 (1981)
Forest products recovery act, extension: *Sub SB 4663, CH 222 (1982)
Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV
Recovery operations, established: *Sub SB 4510, CH 7 (1982)

MOUNT ST HELENS—cont.

School districts, unforeseen events occurrence, reimbursement: HB 676
 State Route 504, renamed Spirit Lake Memorial Highway: *SB 4706, CH 82 (1982)
 Timber contracts, damaged timber excluded: Sub HB 1148, HB 1160, Sub SB 4663

MUNICIPAL CORPORATIONS

Audits, allowable expenses: *Sub HB 855, CH 206 (1982)
 Audits, state auditor municipal corporations division: HB 943, HB 944
 Contracts, municipalities, municipal officers: SB 4570
 Credit lines, establishment authorized: SB 4329
 Cultural arts, stadium, convention districts: *Sub HB 1156, CH 22 E1 (1982)
 Development charges, prohibited: *SB 4972, CH 49 E1 (1982)
 Heating systems, establishment authorized: 2nd Sub SB 3033
 Investment earnings, pro rata share credit requirements: HB 771
 Land dedication, easements, permissible purposes: *Sub HB 312, CH 49 E1 (1982)
 LID's, aquatic plant control: HB 1172
 School community recreation districts: HB 1155
 Short-term obligations, bonds, interest provision: *Sub SB 4728, CH 216 (1982)
 Tax powers prescribed: *SB 4972, CH 49 E1 (1982)

MUSIC

Musicians, industrial insurance: HB 1054, Sub HB 1127
 Nonprofit arts organizations, class L liquor license: HB 342

MUTUAL SAVINGS BANKS

Alcohol beverage business, financial interest, allowed: SB 4729
 Examinations, banking supervisor, fee schedule establishment conditions: HB 935
 Funds, public, state treasurer, investment authority extended: *SB 4507, CH 148 (1982)
 Interest, dividends, payments from guaranty funds: *Sub SB 3679 CH 5 (1982)

NATURAL DEATH ACT

Life-sustaining procedures, legal responsibilities provision revisions: HB 319

NATURAL GAS

Distributors, utility tax modified: *HB 1248, CH 5 E2 (1982)
 Mineral rights, unused, surface property owner, reversion: HB 1181
 Motor vehicle use, license fee continued: HB 1002
 Oil and gas conservation committee, powers, duties revised: Sub SB 4944
 Oil and gas joint committee formation, search, study, report: *HCR 50 E1 (1982)
 Oil and gas severance and conservation tax act: HB 814
 Public utility tax, state-wide natural gas companies, increased: SB 4585
 Rates, proposed increases, customer information: HB 1091
 Utility service, counties, unincorporated areas, retail sales: HB 1219

NATURAL RESOURCES, DEPARTMENT OF

Aquatic lands joint legislative committee, members, duties, report: *Sub SB 4824, CH 21 E1 (1982)
 Aquatic lands task force, convening: 2nd Sub HB 1093
 Capital projects, appropriation: Sub HB 1075, *Sub HB 1230, CH 48 E1 (1982) PV
 Engineering services division, responsibilities: *Sub HB 1012, CH 165 (1982)
 Firewood, fuel use, grading required: HB 1094
 Firewood harvesting, transportation, regulated: Sub HB 643
 Forest fire protection, assessments: *HB 1099, CH 55 E1 (1982)
 Forest land, fire protection, prevention devices: HB 223
 Forest land, reforestation obligation: *Sub HB 419, CH 173 (1982)
 Forest products industry employment recovery act: HB 1037
 Forest products recovery act, extension, default: HB 1148, *Sub SB 4663, CH 222 (1982)
 Geoducks, intensive management plan: *HB 1162, CH 180 (1982)
 Geographic names board: HB 527
 Honor camps, operation: *Sub SB 4369, CH 50 E1 (1982) PV

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

NATURAL RESOURCES, DEPARTMENT OF—cont.

- John Wayne trail, select committee, establishment: SCR 143
 Land, granted, sales restrictions: HJR 19
 Land, public, materials, sales, minimum value requirement: *HB 131, CH 27 (1982)
 Land, state, negotiated leases, notice requirement: HB 910
 Land, state, sales, natural resources board, designated agency: HB 908
 Local government master program adjustments: Sub HB 1098, HB 1104
 Milwaukee railroad, right-of-way, acquisition: HB 1021, *Sub HB 811, CH 14 E2 (1981)
 PV
 Milwaukee railroad, right-of-way, structures, disposal, administrative costs: Sub HB 804
 Milwaukee road select committee, establishment: *SCR 143 E1 (1982)
 Natural heritage program, appropriation: *SB 4681, CH 154 (1982)
 Natural resources, account, created: HB 783, SB 4112
 Natural resources deposit fund, created: *Sub HB 733, CH 4 E2 (1981)
 Oil and gas conservation committee: Sub SB 4944
 Oil and gas joint committee formation, search, study, report: *HCR 50 E1 (1982)
 Pilot program, establishment: HB 861
 Property, state, inventory: Sub HCR 41
 Public land, leases, tree fruit, grape production: *Sub SB 4163, CH 54 (1982)
 Public lands clam management account: Sub SB 3442
 Real estate, acquisition, exempt, GA director authority: *Sub HB 810, CH 41 (1982)
 Recreation guide, IACOR expenditure authorized: SB 3915
 Reforestation lands, declassified: HB 1205
 Rivers, stream sites, pre-existing condition restoration: HB 1010
 Shoreline hearings board, contested case hearings: Sub HB 914
 Smith's Cove Waterway, appraisal costs reimbursement: *SB 4025, CH 1 E1 (1982)
 St Helens eruption, recovery operations: *Sub SB 4510, CH 7 (1982)
 Surveys, public land, official plats: HB 641
 Timber contract price indexing advisory committee: Sub HB 1148, HB 1160, *Sub SB 4663, CH 222 (1982)
 Timber, harvest, public lands, excise tax: *HB 1245, CH 4 E2 (1982)
 Timber, public lands, timber excise tax inclusion: SB 4399
 Timber sales, forest development account: *Sub HB 773, CH 4 E2 (1981)
 Timber sales, procedures, modifications directed: *HCR 42 (1982)
 Timber, standing on public land, business inventory: HB 821
 Transition trust lands revolving fund act, appropriation: HB 911
 Trees, unauthorized destruction: *Sub HB 135, CH 28 (1982)
 Tribal claims, rights, fish, natural resources, acquisition petitioned: HJM 20
 Trust lands, school districts, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
 Youth development, conservation corps: HB 273, *SB 4313, CH 70 (1982)

NAVIGATION AND NAVIGABLE WATERS

- Aquatic lands joint legislative committee: *Sub SB 4824, CH 21 E1 (1982)
 Aquatic lands task force: 2nd Sub HB 1093

NEWS MEDIA AND NEWSPAPERS

- Assessments, increased, notice publication: HB 947, Sub SB 4439
 Coupons, manufacturers, certain, trading stamp license exemptions: HB 1068
 Political advertising, violations: HB 472

NONPROFIT ORGANIZATIONS AND ASSOCIATIONS

- Business and industrial development corporations act: Sub HB 977
 Cancer research, cigarette tax, increased: HB 885
 Center for voluntary action: *Sub HB 923, CH 11 E1 (1982)
 Community work experience pilot projects: Sub HB 812
 Convention and trade center: *Sub HB 1015, CH 34 (1982)
 Crime victims assistance fund, created: SB 3301
 Day care centers, license fee exemption: HB 1238
 Export assistance centers: Sub HB 1141

NONPROFIT ORGANIZATIONS AND ASSOCIATIONS—cont.

Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)
 Food banks, coupons, tax exemptions: HB 1237, HB 1239, *HB 1243, CH 3 E2 (1982)
 Gambling activities, chapters, local units: Sub HB 1102
 Liquor license, class L, nonprofit arts organizations: HB 342
 Liquor licenses, class K, provisions modified: SB 4703
 Salmon hatcheries, private nonprofit: HB 1079
 State parks, volunteer work: HB 843, *SB 4477, CH 156 (1982)
 Thurston county courthouse, former, demolition: HB 1176
 Wine licenses, J, unopened wine, sales: *Sub HB 1063, CH 85 (1982)

NONRESIDENTS

Higher education institutions, miscellaneous changes: *2nd Sub HB 784, CH 37 E1 (1982)
 Motor vehicles, nonresident violator compact: *Sub SB 4750, CH 212 (1982)
 Sales tax, exemption permit, collection fees, increased: *Sub HB 840, CH 5 E1 (1982)
 Sales tax, exemption permits, contiguous states: HB 1201, HB 1244

NUCLEAR ENERGY

Disarmament, nuclear weapons, freeze urged: SJM 133
 Energy facilities, new applications, feasible alternatives: HB 975
 Nuclear waste compact, approval petitioned: Sub SJM 124
 Radioactive waste, joint select committee, established: SCR 140

NURSES AND NURSING

Nursing assistance, 1980 licensing provisions repealed: Sub HB 760
 Practical nurse examiners board, redesignated: Sub HB 274

NURSING HOMES

Administrators, regulations revised: Sub HB 148
 Appraisers, accounting purposes, accreditation requirements specified: *HB 728, CH 117 (1982)
 Auditing and cost reimbursement: *HB 1249, CH 1 E2 (1982)
 Beer, wine by glass, patients, family members, visitors: *Sub HB 1063, CH 85 (1982)
 Care purchase, institutions for mentally retarded: *Sub HB 760, CH 11 E2 (1981)
 Cost reimbursement, DSHS requirements: *Sub SB 4285, CH 19 E1 (1982) PV
 Costs, senior citizen property tax exemption claimants: HB 921
 Industrial development revenue bonds, issuance authorized: HB 1138
 Labor relations, regulations, certain, repealed: HB 1058
 Patients, publicly supported, care costs offset: Sub HB 1158
 Patients, rights, standards of care: *Sub HB 852, CH 120 (1982)

OBSCENE MATERIALS

Adults only materials, sale, exhibit, minors, civil penalties prescribed: HB 1081
 Definitions, prohibitions, criminal actions specified: HB 927
 Pornography defined, enforcement authority: *Sub HB 626, CH 184 (1982)

OCCUPATIONAL INFORMATION SERVICE

Employment security department, designated agency: *Sub HB 920, CH 43 (1982)

OCEAN RANCHING (See also FOOD FISH AND SHELLFISH)

Salmon hatcheries, private nonprofit, authorized: HB 1079
 Salmon release-recapture facilities: SB 4612

OFFICE OF COMMUNITY PROGRAMS

Archaeology and historic preservation office: HB 913, Sub SB 4586
 Planning and community affairs agency, reorganized: HB 913, Sub SB 4586

OFF-ROAD VEHICLES

ORV moneys, use, trails, youth development corps: SB 3823

OLYMPIA

Centennial commission, plan development, state capitol area location: HB 183

OLYMPIC COUNTY

Established, formed from parts of Clallam and Jefferson counties: HB 1153

OPEN MEETINGS

Joint operating agencies, policy groups: *SB 4996, CH 43 E1 (1982)

Meeting sites, alternative, emergency: Sub HB 213

OPEN SPACE (See also TAXES - PROPERTY)

Forest land, current use valuation authorized: Sub HB 1

Land, current use classification removal: Sub SB 4617

Land, water dependent uses, current use valuation: HB 1191, HJR 24

Residential property, optional, authorized: HB 1218

OPTICIANS

Account, balance transferred, general fund: *Sub HB 778, CH 227 (1982)

OPTOMETRISTS AND OPTOMETRY

Insurance coverage, checks, joint endorsements: *Sub HB 824, CH 168 (1982)

ORDINANCES

Building permits, residential, population density restrictions: HB 1184

Discrimination, ordinances against: HB 100

Planning agencies, hearings, notice: Sub HB 1007

Plats, preliminary, retroactive applicability: Sub HB 1134

Sewer, water districts, annexation: *SB 4064, CH 146 (1982)

Traffic infractions, parking: *SB 4492, CH 12 E1 (1982)

OYSTERS (See also FOOD FISH AND SHELLFISH)

Farmers, catch, sales direct to consumer allowed: HB 1071

Harvesting leases, annual increase rate: *Sub SB 4824, CH 21 E1 (1982)

PAMPHLETS

Campaign materials, mailing at public expense: *HB 829 V

Human rights commission, complaint copy requirement: Sub HB 926

Voters, bond measures, information, disclosure required: Sub HB 11

PAPER AND PAPER PRODUCTS

Forms and paperwork reduction act: HB 1169

Legal-size media, defined, state agencies: Sub HB 895

Recycled, purchase preference: *Sub HB 259, CH 61 (1982)

Solid wastes, ownership: HB 735

PARENTS

Abortion, unemancipated minor, notification: Sub HB 226

Adoption, consent: Sub HB 451

AFDC recipients, able, work requirement: Sub HB 812

Children, public school attendance: Sub HB 996

Children, support obligations: HB 1163

Social and health services financial responsibility act: Sub HB 759

Youth, suitable institutions, parental designation: HB 1189

PARIMUTUEL BETTING (See also HORSE RACING COMMISSION)

Arabian horse racing, inclusion: *SB 4584, CH 132 (1982)

Exotic races, parimutuel receipts: *Sub SB 4708, CH 32 (1982)

Gross receipts, state general fund, increased: HB 1215

Payoff prices, calculation: HB 1224

PARKING - MOTOR VEHICLES

Disabled persons, decal: SB 3001

Motor vehicles, license renewal, parking violations: *Sub HB 268, CH 14 E1 (1982)

Offenses, notices, response failure: *SB 4492, CH 12 E1 (1982)

Winter recreational parking account, redesignated: HB 386, *SB 3737, CH 11 (1982)

PARKS

Hotel, motel, tax receipts, municipal park facilities: SB 3318
 Metropolitan municipal corporations, stadiums, performing, visual arts, convention facilities:
 HB 723

PARKS AND RECREATION COMMISSION, STATE

Blue lights, motor vehicles, use authorized: HB 825
 Boating registration system, mandatory: HB 1100
 Campsite reservation, information system: SB 3612
 Energy facility site evaluation council: Sub HB 912
 Milwaukee road select committee: *SCR 143 E1 (1982)
 Public works, small works roster: *Sub SB 4200, CH 98 (1982)
 Real estate, acquisition: *Sub HB 810, CH 41 (1982)
 Recreation guide revolving fund, created: SB 3915
 State parks, rangers, entry level: *SB 4307, CH 79 (1982)
 State parks, selected, boat moorage fee program: HB 865, *Sub SB 4369, CH 50 E1 (1982)
 PV

State parks, volunteer work: HB 843, *SB 4477, CH 156 (1982)
 St Edwards seminary, appropriation limitation: *Sub HB 811, CH 14 E2 (1981) PV
 Winter recreational activities: HB 386, *SB 3737, CH 11 (1982)
 Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)
 Youth development, conservation corps, members' compensation: HB 273, SB 4313

PASCO

Pasco-Kennewick bridge, Columbia River, preservation: 2nd Sub SB 3027

PATIENTS

Counselors, professional, mental health: HB 953
 Hospitals, nursing homes, wine, beer by the glass, patients, family: *Sub HB 1063, CH 85
 (1982)
 Legend drugs, defined: HB 1167
 Nursing homes, plan of care: *Sub HB 852, CH 120 (1982)
 Nursing homes, publicly supported: Sub HB 1158
 Nursing homes, revisions: *Sub HB 760, CH 11 E2 (1981)
 Sexual abuse, health professionals: HB 954

PENALTIES - CIVIL

Adults only materials, sale, exhibit, minors, penalties: HB 1081
 Audits, local government, drafts: HB 944
 Blood banks, wilful violations, imposed: HB 872
 Day care services, violations, imposed: Sub HB 860
 DSHS, certain services, seeking authorized: HB 758
 Public disclosure, violations: SB 4473
 Snowmobiles, dealers, authorized: *HB 896, CH 17 (1982)

PEND OREILLE COUNTY

Judicial district, new position: HB 918, *Sub SB 4449, CH 139 (1982)

PERFORMANCE AUDITS

Geographic names board, members: HB 527
 Readable law program: Sub HB 835
 Rehabilitation review office: *HB 454, CH 63 (1982)

PERFORMING ARTS AND PERFORMING ARTS CENTERS

Liquor license, class L, nonprofit organizations: HB 342
 Metropolitan municipal corporations: HB 723

PERMITS

Archaeology and historic preservation, dig permits: HB 960
 Building, residential, restrictions: HB 1184
 Environmental coordination, permit processing: Sub HB 634

PERMITS—cont.

- Environmental coordination procedures act: *HB 859, CH 179 (1982)
- Firewood harvesting, transportation: HB 643
- Fireworks, regulations revised: Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Forest land, live coals, fire: HB 223
- Go-go dancers, license, temporary permit requirements: HB 801
- Plumbers, regulations revised: HB 1061
- Property interests, governmental acts: *Sub HB 1006, CH 232 (1982)
- Sales tax, exemption, fee increased: HB 1201, *Sub HB 840, CH 5 E1 (1982)
- Salmon hatcheries, private nonprofit, authorized: HB 1079
- Shoreline, review: Sub HB 914
- Substantial development permits: Sub HB 634
- Wastewater treatment outfall: HB 802, *Sub HB 811, CH 14 E2 (1981) PV
- Work, minors, L&I rules establishment: HB 795

PERSONAL SERVICES CONTRACTS

- Auditing services, revenue department, out-of-state contracts permitted: HB 785, *Sub SB 4605, CH 128 (1982)
- Higher education institutions, private sector services: Sub HB 1216

PERSONNEL AND PERSONNEL DEPARTMENT

- FTE limitations specified: HB 1234
- Health departments, combined city/county: *SB 4354, CH 203 (1982)
- Marine employees' commission: HB 1232, Sub SB 4609
- Performance evaluation standards: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982) PV
- Salaries, comparable worth: SB 4769
- Vacation leave, accrual: 2nd Sub HB 95, *Sub SB 5007, CH 51 E1 (1982)

PESTICIDES AND HERBICIDES

- Aerial applications, emergency measures: Sub HB 994, *Sub SB 4684, CH 153 (1982)

PETITIONS (See also INITIATIVES AND REFERENDUMS)

- Appearance of fairness doctrine: *Sub HB 1011, CH 229 (1982)
- Candidates, indigent, filing: HB 945
- Initiatives, referendums, clarifications prescribed: Sub SB 3895
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- LID's, formation, financing: HB 519
- Public disclosure reports, cost-savings measure: SB 4554
- School districts, new, consolidation: *Sub HB 849, CH 191 (1982)
- Street lighting systems, sewer, water districts: *SB 4602, CH 105 (1982)

PHARMACY BOARD AND PHARMACISTS

- Controlled substances, imitation, defined: Sub HB 820, *Sub HB 15, CH 171 (1982)
- Diversion unit, appropriation: 2nd Sub HB 603
- Legend drugs, defined: HB 1167
- Licensing department placement: HB 778
- Nursing homes, licensed pharmacist, on premises, required: HB 852
- Prophylactics, sales deregulated: SB 3121
- Termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982) PV

PHYSICAL THERAPY

- Physical therapists examining committee: Sub SB 3332

PHYSICIANS AND SURGEONS

- Abortion, informed consent requirement: Sub HB 226
- Agent orange, delayed stress syndrome: *SB 4619, CH 97 (1982)
- Dentists, nondental anesthesia use: *SUB HB 1047, CH 51 (1982)
- Human remains, donees: *HB 720, CH 9 (1982)
- Legend drugs, defined: HB 1167
- Nursing homes, medication requirements: *Sub HB 852, CH 120 (1982)
- Sexual victimization, clients: HCR 44

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

PILOT PROJECTS AND PROGRAMS

Community work experience: Sub HB 812
 Grocery stores, commerce and economic development: HB 818, *Sub HB 878, CH 182 (1982)
 Natural resources department, lowest income-yielding land sales: HB 861
 Schools, four-day week: HB 1000
 Small business innovators' opportunity program: *HB 1013, CH 44 (1982)

PLANNING AND COMMUNITY AFFAIRS AGENCY

B&O tax deductions, low-income individuals: HB 985
 Columbia River Gorge commission, abolished: HB 858
 Community economic revitalization board: *2nd Sub HB 906, CH 40 E1 (1982)
 Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
 Energy facility site evaluation council: Sub HB 912
 Low-income housing program, federally supported: *Sub SB 4369, CH 50 E1 (1982) PV
 Occupational information service: *Sub HB 920, CH 43 (1982)
 Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
 Reorganized, office of community programs: HB 913, Sub SB 4586
 Sheriffs, police chiefs association, uniform crime reports program: HB 1130
 State building code, updated: Sub HB 1052

PLANS, PLANNING, PLANNING COMMISSIONS

Agricultural activities, forest lands: HB 1113
 Cherry Point, shoreline, commercial uses: *SB 4831 V
 Cities, boundary review board procedures: *SB 3446, CH 220 (1982) PV
 Hearings, notice requirements revised: Sub HB 1007
 Land use decisions: *Sub HB 1011, CH 229 (1982)
 Residential density, building permit restrictions: HB 1184
 Salmon management plan, fisheries: Sub SB 3557
 Sewer, water districts, general comprehensive plans: *Sub SB 4481, CH 213 (1982)

PLATS AND PLATTING (See also SUBDIVISIONS)

Approval, final, three-year limitation: HB 876
 Land, division, preliminary plats, three-year approval period: Sub HB 1134
 Surveys, public land, official plats: HB 641

PLUMBERS

Regulations revised: HB 1061
 Water heaters, thermostats, temperature setting: Sub HB 973

PODIATRY

Insurance coverage, checks, joint endorsements: *Sub HB 824, CH 168 (1982)
 Licensure, state podiatry board established: *Sub HB 174, CH 21 (1982)

POLITICAL ACTIVITIES

Advertising, violations: HB 472
 Campaign funds, transfers: HB 1119
 Campaign materials, public officials mailing at public expense: *HB 829 V
 Candidates, indigent, filing fees: HB 945
 Candidates, municipal office, declaration of candidacy filing: HB 439
 Legislators, felony conviction: SB 3864
 Precincts, committeepersons: HB 1159
 Public disclosure, reports, time frame: *Sub SB 3249, CH 147 (1982)
 Public disclosure, violations: SB 4473
 Voting by mail, certain precincts, permitted: HB 1003
 Yard signs, billboards, advertising: HB 1118

POLITICAL SUBDIVISIONS

Audits, costs: HB 943
 Audits, drafts: HB 944
 Bonds, issuance, legal services: HB 925

POLITICAL SUBDIVISIONS—cont.

- Budget stabilization act, loans, as specified: Sub HB 1109
- Citizen councilors commission, established: Sub HB 995
- Debts, public, collection agencies, use permitted: SB 4476, *HB 844, CH 65 (1982)
- Employees, retirement, consolidated entities: HB 1139
- Funds, investment, local government investment board: SB 4743
- Legal-size media, defined, use prohibited: Sub HB 895
- Planning agencies, hearings: Sub HB 1007
- Public service companies, fees: HB 817, *SB 4972, CH 49 E1 (1982)
- Short-term obligations, bonds: *Sub SB 4728, CH 216 (1982)

POLLUTION CONTROL

- Motor vehicles, emission control: HJM 24, HB 915, Sub HB 1086
- Motor vehicles, used, emission testing exemption: HB 915
- Nuclear waste, high-level, federal policies: HJM 23, SJM 116
- Tax credits, applications, authorized: HB 1190
- Tax credits, phase-out deadline established: HB 777
- Tax credits, terminated: *Sub HB 485, CH 9 E2 (1981)

PORNOGRAPHY

- Adults only materials, sale, exhibit, distribution to minors, penalties prescribed: HB 1081
- Enforcement authority defined: *Sub HB 626, CH 184 (1982)
- Erotic materials, excise tax, child abuse program: SB 5025
- Obscene materials, performances, definitions, prohibitions, criminal actions specified: HB 927

PORTS AND PORT DISTRICTS

- Cherry Point, shoreline, state-wide economic significance designation: *SB 4831 V
- Commissioners, number purposes, classification changes: HB 1044
- Commission, three-member: HB 57, HB 797, *SB 4425, CH 219 (1982)
- Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
- Heating systems, establishment authorized: 2nd Sub SB 3033
- Industrial development levies: HB 1116, *Sub SB 4963, CH 3 E1 (1982)
- Navigation projects, federal funding petitioned: *SJM 115 E1 (1982)
- Property, personal, sale, rights granted: *SB 4571, CH 75 (1982)
- Public works contracts, over \$30,000: Sub HB 956
- Short-term obligations: *Sub SB 4728, CH 216 (1982)
- Small works projects, maximum cost increased: *Sub SB 3361, CH 92 (1982)
- Seattle, Smith's Cove Waterway, offer to sell, fair market value: *SB 4025, CH 1 E1 (1982)

POST OFFICES

- Mt. St. Helens, commemorative stamp issuance petitioned: HJM 15

POSTSECONDARY EDUCATION, COUNCIL FOR (See also HIGHER EDUCATION)

- Displaced homemaker program, extended: *HB 286, CH 15 E1 (1982)
- Performance evaluation standards: *Sub HB 1226, CH 53 E1 (1982) PV
- Semester system, uniform: HB 1154
- Student financial aid: *2nd Sub HB 784, CH 37 E1 (1982)
- Travel, reduction specified: *Sub HB 811, CH 14 E2 (1981) PV

POULTRY AND POULTRY PRODUCTS

- Coupons, sales, prohibition removed: HB 1068
- Sales, no implied warranties provision: *SB 4436, CH 199 (1982)

PRECINCTS

- Committeepersons, more than one person elected, rights: HB 1159
- Voting by mail, certain precincts, permitted: HB 1003

PRISONERS - WAR

- Children, tuition, fees, priority: Sub HB 784

PRISONERS - WAR—cont.

License plates, free, authorized: *HB 623, CH 115 (1982)

PRISONS AND PRISONERS

Confinement, sentenced from other jurisdictions: HB 968
 Corrections facilities, local, operations, services, interrelationships: HB 1143
 County, fine reduction rate, establishment permitted: SB 3301
 Court modifications: *HB 600, CH 47 E1 (1982)
 Crime victims compensation: *2nd Sub HB 828, CH 8 E1 (1982)
 Criminally insane, conditional release: *HB 381, CH 112 (1982)
 Escapees, arrest warrants: HB 970
 Furloughs, maximum period, medical furloughs excluded: HB 966
 Inmates, leaves of absence, authorized: HB 967
 Interstate corrections compacts, participation authorized: HB 969
 Jails, space requirements: *Sub HB 774, CH 12 E2 (1981)
 Parolees, violations, hearing requirement: HB 1143
 Parole, probation services, costs: *HB 768, CH 207 (1982)
 Prison overcrowding reform act: *Sub HB 922, CH 228 (1982)
 Released, paroled, sufficient funds: HB 971
 Riots, local law enforcement agencies: *Sub HB 965, CH 49 (1982)
 Shelton, single cell requirement repealed: *HB 1246, CH 2 E2 (1982)
 Tobacco products: *Sub HB 811, CH 14 E2 (1981) PV

PRISON TERMS AND PAROLE BOARD

Corrections institutions, inmate population reduction: *Sub HB 922, CH 228 (1982)
 Parolees, violations, hearing requirement: HB 1143
 Parole, probation services, costs, release: *HB 768, CH 207 (1982)

PRIVATE UTILITIES (See also UTILITIES)

Appeals, certain, property owners: Sub HB 962
 Cities, districts, public power contracts: HB 1233
 Electric rate structures, inverted, required: SB 4616
 Energy facilities, new applications: HB 975
 Water companies, UTC regulation exclusion: HB 1030

PRODUCTS (See also GOODS)

Duplication, direct molding process, prohibited: HB 1166
 Export assistance centers, establishment: Sub HB 1141
 Forest products industry employment recovery act: HB 1037
 Forest products industry recovery act: HB 1148
 Forest products recovery act, extension: *Sub SB 4663, CH 222 (1982)
 Wood product processing facilities: HB 1182

PROPANE

Motor vehicle use, license fee continued: HB 1002

PROPERTY - PERSONAL (See also TAXES - PROPERTY)

Business inventory, leased personal property: *Sub HB 313, CH 174 (1982)
 Execution and attachment, exemptions specified: HB 1193
 Inspections, administrative, warrants, issuance: Sub SB 4494
 Intangible personal property, income, tax imposed: HB 845, HJR 15
 Leases, full payout, open-end provisions: HB 1179
 Limited casualty program: *2nd Sub HB 557, CH 3 E2 (1981) PV
 Motor vehicles, ownership, valid driver's license: HB 839
 Nonresidents, exemption permits, taxes: HB 1244
 Port districts, sales, secured party rights: *SB 4571, CH 75 (1982)
 Storage facilities, self-service: HB 1151
 Unclaimed property, disposition, time period reduced: Sub HB 1128, *Sub HB 766, CH 1 E2 (1981)

PROPERTY – REAL (See also TAXES – PROPERTY)

- Annexation, appeal: HB 984
- Construction, assessment rolls: *Sub SB 3783, CH 46 E1 (1982)
- Current use valuation, aquatic lands: HB 1191, HJR 24
- Current use valuation, residential property: HB 1218
- Docks, upland owners, recreational use: *Sub SB 4824, CH 21 E1 (1982)
- Federal, service charges, states, imposition permission: HJM 19
- Fire protection districts, contiguous property: Sub SB 3512
- Historic, assessment, classification: 2nd Sub SB 3025
- Historic, destruction restrictions: 2nd Sub SB 3027
- Homes, creatively financed, refinancing provisions: HB 1185
- Inspections, administrative, warrants: Sub SB 4494
- Interests, relief from governmental acts: *Sub HB 1006, CH 232 (1982)
- Irrigation districts, adverse possession: Sub HB 932
- Irrigation districts, energy conservation: *HB 832, CH 42 (1982)
- Irrigation districts, withdrawal: Sub SB 4136
- Irrigation districts, works construction projects: HB 198
- Lake Osoyoos international water control structure: *Sub SB 4846, CH 76 (1982)
- Leases, negotiated, state lands: HB 910
- LID's, delinquent assessment foreclosure: *Sub HB 823, CH 91 (1982)
- Limited casualty program, eligibility: *2nd Sub HB 557, CH 3 E2 (1981) PV
- Loans, residential, due on sale clauses prohibited: HB 1195
- Local service districts, assets distribution specified: HB 1136
- Milwaukee railroad right-of-way, acquisition: Sub HB 804, HB 1021, *Sub HB 811, CH 14 E2 (1981) PV
- Mineral rights, unused: HB 1181
- Mortgages, satisfaction, damages, attorneys' fees allowed: SB 4517
- Reforestation lands, declassified: HB 1205
- Sales, documents preparation, nonlawyers, permitted: HJR 25
- Sales, state lands, natural resources board: HB 908
- State, inventory, legislative budget committee: Sub HCR 41
- State, management, inventory, liquidation provisions: HCR 41
- Tenants, public service charges owed: Sub HB 329
- Time-sharing, regulated: 2nd Sub SB 3775
- Trust lands, transition, management provisions: HB 911
- Valuation, annual adjustment, tax purposes: HB 1183
- Valuation, appropriate statistical data, revenue department rules adoption: *Sub SB 3783, CH 46 E1 (1982)

PROPERTY

- Controlled substances, acquisition use: *Sub HB 15, CH 171 (1982)
- Schools, damages, pupil liability: *Sub HB 462, CH 38 (1982)

PROPHYLACTICS

- Sales, deregulated: SB 3121

PROSTITUTION

- Prostitute under 18, customer 18 or over, felony: Sub HB 293

PUBLIC ASSISTANCE

- AFDC recipients, able, as defined, work requirement: Sub HB 812
- Children, support obligations: HB 1163
- Children, unemployment compensation, child support obligations: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)
- Chiropractic services, exclusion removed: *Sub SB 4285, CH 19 E1 (1982) PV
- Community social services, local responsibility: HB 1235
- Developmentally disabled persons: *HB 851, CH 224 (1982) PV
- Energy allowance: *HB 980, CH 127 (1982)
- Energy assistance, weatherization: HB 985

PUBLIC ASSISTANCE—cont.

Financial responsibility requirements: Sub HB 759, *Sub SB 4418, CH 201 (1982)
 Food stamps, allotments: *2nd Sub HB 756, CH 10 E2 (1981)
 Food stamps, overpayments, recovery limits: HB 759
 Income maintenance caseload levels: *Sub SB 4369, CH 50 E1 (1982) PV
 Medical assistance, eligibility: *2nd Sub HB 557, CH 3 E2 (1981) PV
 Nursing homes, patients, publicly supported: Sub HB 1158
 Refugees, federal assistance, continuance petitioned: HJM 25

PUBLICATIONS

Adults only materials, sale, exhibit, minors: HB 1081
 Assessments, increased, notice publication: HB 947, Sub SB 4439
 Coupons, manufacturers, trading stamp license: HB 1068
 Journals, house, senate, distribution, statute law committee requirements: HB 1080
 Obscene materials, performances, definitions, prohibitions, criminal actions specified: HB 927
 Planning agencies, local, hearings: Sub HB 1007
 Pornography, moral nuisances: *Sub HB 626, CH 184 (1982)
 Printing services, total copy systems services: HB 1024
 Recreation guide revolving fund, created: SB 3915
 Session laws, distribution, statute law committee: HB 1080
 Statutes, rules, state, legislative committees, free copies allowed: *SB 4717, CH 32 E1 (1982)

PUBLIC DEPOSITARIES

Investments, public funds, revised: HB 1110
 Municipal corporations, credit lines, conditions: SB 4329
 State treasurer, certificates of deposit: *SB 4506, CH 74 (1982)

PUBLIC DISCLOSURE AND PUBLIC DISCLOSURE COMMISSION

Campaign funds, transfers: HB 1119
 Candidates, filing requirements revised: *Sub SB 3249, CH 147 (1982)
 Candidates, indigent, filing: HB 945
 Cemetery districts, electors, commissioners: *Sub HB 40, CH 60 (1982)
 Contributions, amount without individual identification increased: *Sub SB 3249, CH 147 (1982)
 Debt information, state, local, public access: HB 1207
 Improper governmental actions, disclosure: *Sub HB 593, CH 208 (1982)
 Legislators, compensation, reporting required: Sub HB 1120
 Legislators, conflicts of interest, disclosure required: HB 1126
 Legislators, contracts, governmental units: Sub HB 1121
 Legislators, honorariums, reporting required: Sub HB 1122
 Legislators, information, additional: HB 993
 Library records, exemption: Sub SB 4683, *Sub HB 476, CH 64 (1982)
 Political advertising, violations: HB 472
 Reports, jurisdictions, small: SB 4554
 Reports, time frame: *Sub SB 3249, CH 147 (1982)
 Violations, uniform penalties application required: SB 4473

PUBLIC EMPLOYEES RETIREMENT SYSTEM

Allowances, deductions, OFM policy approval: Sub HB 733
 Average final compensation defined: HB 986
 Deductions, group insurance or plan, authorized: *SB 4468, CH 135 (1982)
 Early retirees, reemployment prohibited: *SB 5021, CH 11 E2 (1982)
 Early retirement, conditions specified: *2nd Sub HB 124, CH 54 E1 (1982) PV
 Lump sum payments authorized, conditions: *SB 4638, CH 144 (1982)

PUBLIC EMPLOYEES

Certificated employees, contracts, status: Sub HB 790
 Chaplains, state-employed, salaries: *HB 1072, CH 190 (1982)

PUBLIC EMPLOYEES—cont.

Community colleges, financial emergencies: *Sub HB 782, CH 13 E2 (1981)
 Education employees, salary increases: *Sub HB 811, CH 14 E2 (1981) PV
 Fact-finding procedures, educational employment relations act: SB 3405
 FTE equivalents, hiring practices: *2nd Sub HB 124, CH 54 E1 (1982) PV
 FTE limitations, state, higher education employees: HB 1234
 Health departments, combined city/county: *SB 4354, CH 203 (1982)
 Improper governmental actions, disclosure: *Sub HB 593, CH 208 (1982)
 Incentive pay, state employees, productivity board created: *Sub HB 837, CH 167 (1982)
 Insurance board, multiple carriers: *HB 736, CH 34 E1 (1982)
 IRA's, payroll deductions authorized: *Sub SB 4697, CH 107 (1982)
 Legislative ethics, jurisdiction: SB 3921
 Mediation services, public employment relations commission: HB 767
 Personnel activities: Sub HB 763, *Sub HB 1226, CH 53 E1 (1982) PV
 Retirement, early, reemployment prohibited: *SB 5021, CH 11 E2 (1982)
 Salaries, higher education: SB 4769
 Salaries, state employees, increases, budget and accounting act delay: HB 1018, HB 1255
 Salaries, state employees, increases: *Sub HB 811, CH 14 E2 (1981) PV
 School districts, noncertificated employees: HB 1132
 School districts, retirement benefits: HB 1252, *2nd Sub HB 987, CH 10 E1 (1982) PV
 Sheriff's civil service commission: *SB 4680, CH 133 (1982)
 State, number, regulation requirements: HB 1022
 Vacation leave, public employees, unused: *Sub SB 5007, CH 51 E1 (1982)
 Vacation leave, state employees, accrual: 2nd Sub HB 95

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Ferry system, employees, labor relations: HB 1107
 Mediation services, fees required: HB 767
 Unfair labor practices, complaints, filing period: HB 1133

PUBLIC OFFICIALS

Campaign materials, mailed at public expense: *HB 829 V
 Candidates, municipal office, declaration of candidacy: HB 439
 Contracts, municipalities, municipal officers: SB 4570
 Legislators, felony conviction, salary termination: SB 3864
 Public disclosure reports, suspension: SB 4554
 Threats, as specified, WSP investigation: *HB 745, CH 185 (1982)

PUBLIC TRANSPORTATION

Benefit areas, exclusions, citizen members: 2nd Sub HB 424
 Benefit areas, short-term obligations: *Sub SB 4728, CH 216 (1982)
 Pupil transportation, fee establishment: HB 776
 School districts, pupil transportation vehicles, bonds: HB 869
 Transit drivers, operators, assaults: *SB 4483, CH 140 (1982)
 Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)

PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS

Appeals, certain, property owners, tax appeals board jurisdiction granted: Sub HB 962
 Charges owed by tenants, lien prohibited: Sub HB 329
 Cities, districts, public power, budget limitation: HB 1233
 Cities, towns, projects, expected revenues, borrowing: *HB 554, CH 24 (1982)
 Decision-making, citizen participation: HB 1210
 Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
 Electric rate structures, inverted, required: SB 4616
 Electricity, consumption and use tax: SB 5013
 Electricity, light and power business, gross income tax modified: *SB 5014, CH 9 E2 (1982)
 Motor vehicle transportation companies, tax provisions deleted: HB 764
 Natural gas distributors, tax modified: *HB 1248, CH 5 E2 (1982)

PUBLIC UTILITIES AND PUBLIC UTILITY DISTRICTS—cont.

- Privilege tax, surcharge increase: *SB 5032, CH 14 E2 (1982)
- Public works contracts, work, materials, bid requirement: HB 958
- Rates, charges, service policies, study: HB 1210
- Short-term obligations, issuance: *Sub SB 4728, CH 216 (1982)
- Tax levies, annual, eliminated: HB 1222

PUBLIC WORKS

- Contractors, prequalification, procedures: *Sub SB 4200, CH 98 (1982)
- Contracts, counties, bids: Sub HB 957
- Contracts, reserved funds, requirements revised: *Sub HB 931, CH 170 (1982)
- Port districts, small works projects: *Sub SB 3361, CH 92 (1982)
- Port districts, competitive bid requirements: HB 956, HB 958
- Wages, prevailing, job sites, posting requirements: *Sub SB 4501, CH 130 (1982)
- Work permits, L&I rules establishment: HB 795

PUGET SOUND

- Controlled directional oil drilling: HB 9
- Crab fishing, commercial licenses: HB 842, *SB 4464, CH 157 (1982)
- Wastewater outfall, operation: HB 802, *Sub HB 811, CH 14 E2 (1981) PV

PULLMAN

- Waste water treatment plant, Pullman/WSU, appropriation: HB 1078, *Sub HB 1230, CH 48 E1 (1982) PV

PULL-TAB CANS

- Containers, beverage, sales prohibited: *Sub HB 448, CH 113 (1982)

PULL-TABS AND PUNCH CARDS

- Single chance limit increased: Sub HB 1102

PURCHASING

- Counties, A, AA, departments establishment required: Sub HB 957
- Counties, authority vested, county legislative authority: HB 957
- Counties, bids, equipment purchases, minimum requirements: HB 979, *SB 4690, CH 145 (1982)
- Credit cards, state use authorized: *SB 4705, CH 45 E1 (1982)
- Fire protection districts, bid requirements: Sub HB 890
- Information processing, hardware, software: HB 1117, *SB 4919, CH 59 (1982)
- Joint operating agencies, materials, equipment, supplies: Sub HB 1053, *SB 4995, CH 44 E1 (1982)
- Legal-size media, defined, use prohibited: Sub HB 895
- Local government, contracts, awarding: HB 1231
- Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV
- Milwaukee railroad, right-of-way, structures: Sub HB 804, HB 1021
- Paper, recycled, purchase preference, GA director rules adoption: *Sub HB 259, CH 61 (1982)
- Real estate, state, general administration: *Sub HB 810, CH 41 (1982)
- Thurston county courthouse, former, demolition: Sub HB 1176

RAILROADS

- Crossings, protective devices, funding: *Sub SB 3927, CH 94 (1982)
- Milwaukee railroad, right-of-way, purchase: Sub HB 804, HB 1021, *Sub HB 811, CH 14 E2 (1982) PV
- Trespassers, injury, death, employee liability immunity: HB 114, *SB 4512, CH 141 (1982)

RAPE

- Abortion, induced premature birth, medical care services prohibited, exemptions specified: 2nd Sub HB 756
- Convicted persons, sentencing restrictions: *Sub HB 874, CH 192 (1982)
- Habitual criminal status, redefined: HB 569

REAL ESTATE

Appraisers, nursing home accounting: *HB 728, CH 117 (1982)
 Brokers, salespersons, examination: HB 1073
 Due on sale clauses, residential loans, prohibited: HB 1195
 Facilities, state, GA director authority defined: *Sub HB 810, CH 41 (1982)
 Homes, creatively financed, refinancing provisions: HB 1185
 Sales, documents preparation, nonlawyers, permitted: HJR 25
 Sales, proceeds, not certified by ESD superintendent: *HB 964, CH 176 (1982)
 Sales tax, surcharge increase: *SB 5032, CH 14 E2 (1982)
 Time-sharing, regulated, conditions specified: 2nd Sub SB 3775

RECIPROCITY

Commission, abolished, functions transferred, licensing department: *Sub HB 778, CH 227 (1982)
 Proportional registration, procedures established: Sub SB 3993

RECORDS AND DOCUMENTS

Audits, local government, costs: HB 943
 Codes, filing, local government: *Sub HB 58, CH 226 (1982) PV
 Conviction, state patrol release provisions: *Sub SB 4775, CH 202 (1982)
 Criminal history record information systems: HB 1064
 Driving record abstracts, fees increased: HB 1023
 Forms and paperwork reduction act: HB 1169
 Forms reduction act: *SB 4559, CH 214 (1982)
 Health maintenance organizations, financial procedures: HB 930, *SB 4701, CH 151 (1982)
 Insurance policies, forms: HB 940, *Sub HB 902, CH 181 (1982)
 Juveniles, destruction: HB 1056, SB 4733
 Legal-size media, defined, use prohibited: Sub HB 895
 Library, public disclosure exemption: Sub SB 4683, *Sub HB 476, CH 64 (1982)
 Motor vehicles, owners' lists, availability: *SB 4544, CH 215 (1982)
 Public, preservation, destruction: *HB 357, CH 36 (1982)
 Real estate sales, documents preparation: HJR 25
 Retirement systems, corrections: *SB 4636, CH 13 (1982)
 School districts, ESD inspection requirement removed: HB 188
 Secretary of state, filing procedures, fee schedules: HB 939, *Sub SB 4716, CH 35 (1982)
 Secure transactions, financing statement copy: *HB 822, CH 186 (1982)
 Surveys, public land, official plats, certified copies: HB 641

RECREATIONAL VEHICLES

Dealers, inventory, used, ad valorem taxation exemption: HB 1206
 Excise tax, due date, delinquent interest: HB 992

RECREATION (See also PARKS AND RECREATION COMMISSION)

Boating registrations system, mandatory: HB 1100
 Camping spaces, use, nonpayment, gear removal, felony: HB 1170
 Hiking trails, ORV moneys, youth development corps: SB 3823
 Hotel, motel tax revenues, specified uses expanded: HB 1115
 School community recreation districts, bond issuance authority: HB 1155
 Winter recreation activities: HB 386, *SB 3737, CH 11 (1982)
 Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)

RECYCLING AND RECYCLED MATERIALS

Model litter control and recycling program: *Sub HB 875, CH 223 (1982) PV
 Paper, recycled, purchase preference: *Sub HB 259, CH 61 (1982)
 Solid wastes, ownership: HB 735

REDISTRICTING AND REAPPORTIONMENT

Boards, commissions, state, members' terms, eligibility: *Sub HB 1165, CH 30 E1 (1982)
 Commission, establishment: HJR 14, Sub SJR 108
 Congressional boundaries established: Sub HB 786, *Sub HB 787 CH 2 (1982)

REDISTRICTING AND REAPPORTIONMENT—cont.

- Legislative districts, 12 and 13, modified: HB 1085
- Legislative districts, 40 and 42, modified: HB 1188
- Legislative district, 35th, boundaries clarified: *HB 775, CH 5 E2 (1981)

RELIGION (See also CHURCHES)

- Chaplains, state-employed, salaries: *HB 1072, CH 190 (1982)
- Children, public school attendance exemption: Sub HB 996
- Clergy, hospital trustee boards: HB 1173

RENT AND RENTALS

- B&O tax deduction, weatherization: HB 985
- Business inventory, leased personal property: *Sub HB 313, CH 174 (1982)
- Chaplains, state-employed, salaries: *HB 1072, CH 190 (1982)
- Mobile homes, certain, use tax liability exclusion: HB 1206
- Self-service storage facility landlord-tenant act: HB 1151
- Tenants, public service charges owed, lien prohibited: Sub HB 329

REPORTS

- Accidents, motor vehicles, official business: *SB 3233, CH 52 (1982)
- Aquatic lands joint legislative committee: *Sub SB 4824, CH 21 E1 (1982)
- Aquatic lands task force, convening: 2nd Sub HB 1093
- Blind commission, abolished, duties transferred: Sub HB 799
- B&O tax rates, local, municipal research council report: *SB 4972, CH 49 E1 (1982)
- Campaign funds, transfers, PDC report: HB 1119
- Cancer research, cigarette tax, increased: HB 885
- Centennial commission, plan development: HB 183
- Charitable organizations, financial reporting required: *Sub HB 778, CH 227 (1982)
- Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
- Court congestion task force, established: *HB 864, CH 187 (1982)
- Crime victims compensation, annual report required: *2nd Sub HB 828, CH 8 E1 (1982)
- Crime victims compensation, continuation, requirement: HB 794
- Data processing select committee, created: HCR 51
- Dependent persons, adult, abuse, report procedures: Sub SB 3582
- Educational policies, structure: *SB 3609, CH 33 E1 (1982)
- Fire districts, funding, services: *SB 4972, CH 49 E1 (1982)
- Fire, failure to report, crime defined: SB 3292
- Forms reduction act, licensing: *SB 4559, CH 214 (1982)
- Hiring policies, state agencies, higher education: *2nd Sub HB 124 CH 54 E1 (1982) PV,
*Sub HB 1226, CH 53 E1 (1982) PV
- Indian affairs, joint select committee, report: HCR 43
- Inmate labor, state facilities, report: HB 768
- Institutions, riots, state, local agencies: *Sub HB 965, CH 49 (1982)
- Insurance rates regulation, legislative report required: HB 230
- Juveniles, confinement, conditions specified: Sub HB 870
- Law revision commission, created, annual report: *HB 826, CH 183 (1982)
- Liquor law prosecutions, annual summary: HB 1060
- Mandated health care, report: *Sub SCR 137 (1982)
- Oil and gas joint committee formation, search, report: *HCR 50 E1 (1982)
- Public disclosure, revised: *Sub SB 3249, CH 147 (1982)
- Public disclosure, suspension: SB 4554
- Public investment task force, established, reports: SCR 147
- Radioactive waste, joint select committee, report: SCR 140
- Recreation guide, report: SB 3915
- Salmon management plan, legislative reports: Sub SB 3557
- School employees, retired, annual report: Sub HB 987
- Shoreline management select committee created: HCR 39
- Social and health services financial responsibility act: Sub HB 759
- State building code, report: SCR 139

REPORTS—cont.

- St Helens recovery operations oversight committee, report: *Sub SB 4510, CH 7 (1982)
- Student transportation, SPI legislative report required: *Sub SB 4675, CH 24 E1 (1982)
- Tangible personal property, annual city report required: *SB 4972, CH 49 E1 (1982)
- Telephone systems, joint select committee, establishment, duties, report: *HCR 33 (1982)
- Timber contract price indexing advisory committee, created, report: *Sub SB 4663, CH 222 (1982)
- Uniform crime reports program: *Sub HB 1130, CH 125 (1982)
- Utilities, locally regulated, study, report: HB 1210
- Veterans' memorial parks, cemeteries, feasibility study: HB 836
- WPPSS monitoring, special committee created, duties specified, report: HCR 46, SCR 145

RESEARCH

- Cancer, cigarette tax increased, funds use: HB 885
- Wine, grape program, industry research: Sub HB 893

RESTAURANTS

- Culinary, restaurant courses: *Sub HB 1063, CH 85 (1982)
- Jukebox selections, payment, wagering permitted: HB 1123
- Liquor license, class H, private members only: *Sub HB 1063, CH 85 (1982)

RESTITUTION

- Court order authorization: *HB 600, CH 47 E1 (1982) PV
- Juveniles, provisions: HB 1056, SB 4733
- Orders, expenses, lost wages, nonphysical injuries: *Sub HB 874, CH 192 (1982)

RETAILERS

- Advertising businesses, retail sales tax, definition inclusion: HB 1203
- Alcoholic beverage businesses: Sub SB 4546, SB 4729, HB 862, HB 1059, *Sub HB 1063, CH 85 (1982)
- Architects, engineers, services, retail sales tax: HB 1227
- Attorneys, services, retail sales tax: HB 1227
- Businesses, licensed retail, persons eligible: HB 792
- Debts, bad, sales, use tax payments not required: HB 991, *SB 4250, CH 35 E1 (1982)
- Gasoline prices, display visible: HB 881
- Gasoline prices, gas tax, omission from selling price, permitted: *HB 854, CH 6 E1 (1982)
- Liquor sales, by individual glass, additional tax: HB 1147
- Meat products, perishable, slaughterers, processors, sellers, B&O tax decreased: HB 1004
- Wine importers, wholesalers, financial interests defined: HB 862
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)

RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS

- Attendance incentive program: HB 803
- Budget stabilization account: Sub HJR 13
- Cities, towns, pension system boards: *Sub HB 696, CH 166 (1982)
- Early: *2nd Sub HB 124, CH 54 E1 (1982) PV
- Early retirees, reemployment prohibited: *SB 5021, CH 11 E2 (1982)
- Industrial development revenue bonds, retirement community facilities: HB 1138
- IRA's, state employees, deferred compensation: *Sub SB 4697, CH 107 (1982)
- Judges, disability: *Sub SB 3743, CH 18 (1982)
- Lump sum payments, authorized: *SB 4638, CH 144 (1982)
- Public employees, consolidated political entities: HB 1139
- Records, corrections authorized, payment adjustments: *SB 4636, CH 13 (1982)
- Retirement advisory committee, created: Sub HB 858, *Sub HB 762, CH 163 (1982)
- Retirement, public service, general revisions: HB 990, *SB 4640, CH 52 E1 (1982)
- School employees, retired, annual report requirement: *2nd Sub HB 987, CH 10 E1 (1982) PV
- School districts, classified employees: HB 1252

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

RETIREMENT AND PENSIONS, DEPARTMENT OF RETIREMENT SYSTEMS—cont.

State, full funding, primary duty, as specified: HJR 13
 State patrol retirement board, abolished: *Sub HB 762, CH 163 (1982)
 Vacation leave, accrual, payment prohibited: 2nd Sub HB 95, *Sub SB 5007, CH 51 E1 (1982)

REVENUE AND TAXATION, DEPARTMENT OF REVENUE

Advertising, retail sales tax, definition inclusion: HB 1203
 Agricultural, horticultural produce, crops, business inventory: Sub SB 4370
 Aircraft excise tax, schedule preparation: HB 785
 Allotment reductions: *SB 5033, CH 15 E2 (1982)
 Amusement devices, as defined, B&O tax imposed: HB 1202
 Appeals, certain, property owners: Sub HB 962
 Architects, services, retail sales tax: HB 1227
 Attorneys, services, retail sales tax: HB 1227
 Auditing services, out-of-state contracts permitted: HB 785, *Sub SB 4605, CH 128 (1982)
 Automotive repairs, appropriation: *HB 375, CH 62 (1982)
 Budget, 1981-83 budget modified: *SB 5021, CH 11 E2 (1982)
 Budget stabilization account: Sub HJR 13
 Budget stabilization account, transfers, deposits: *Sub HB 1109, CH 36 E1 (1982)
 Business inventories, property tax exemption: HB 791, HB 948
 Business inventories, tax credit freeze: Sub SB 4370
 Capitol purchase and development account: *HB 1253, CH 8 E2 (1982)
 Cigarettes, surtax increased: *SB 5032, CH 14 E2 (1982)
 Cities, towns, counties, annual levy limit approval: HB 1219
 Cogeneration facilities, tax credit approval: HB 1190
 Cogeneration facilities, tax credit increased: *SB 3394, CH 2 E1 (1982)
 Cogeneration facilities, tax credit limitation provisions: SB 4607
 Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
 Counties, additional sales and use taxes: HB 1235
 County indicated ratios, submission, appeals: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
 Current use valuation, aquatic lands: HB 1191, HJR 24
 Debt information, state, local, public access: HB 1207
 Debt limit, state, bond issues: Sub HB 806
 Debt payments, state, principal, interest, increased: HB 1035
 Debt restrictions, state, as specified: HB 1027
 Debt, state, limitation: HJR 22
 Drinking deterrence and treatment fund: HB 1164, HB 1229
 Drug trafficking enforcement unit: 2nd Sub HB 603
 Economic assistance authority: HB 1101
 Electricity, consumption and use tax: SB 5013
 Electricity, light and power business, gross income tax modified: *SB 5014, CH 9 E2 (1982)
 Employment incentive act: HB 1065
 Engineers, services, retail sales tax: HB 1227
 Estimated tax, designated taxpayers: HB 789
 Excise, surtax rate increased, food tax repealed: HB 1242
 Excise tax, boats, 1% of fair market value: HB 1241
 Excise tax, certain items, replaces sales and use on food products: HB 1259
 Excise tax, low-level radioactive waste disposal: HB 1256, *SB 5030, CH 13 E2 (1982)
 Excise tax, motor vehicles, public transportation temporarily eliminated: HB 1254
 Excise tax, timber harvested from public lands: *HB 1245, CH 4 E2 (1982)
 Fire protection districts, contiguous property: Sub SB 3512
 Fiscal responsibility, state government: HJR 13
 Forest land, lesser acreage, current use valuation: Sub HB 1
 Forms reduction act, agency requirements: *SB 4559, CH 214 (1982)
 Game lands, county relinquishment: SB 3930
 Hotel, motel tax revenues, specified uses expanded: HB 1115

REVENUE AND TAXATION, DEPARTMENT OF REVENUE—cont.

- Inheritance tax division, appropriation reduction: *Sub HB 811, CH 14 E2 (1981) PV
 Insurance, premium tax increased: *SB 5015, CH 10 E2 (1982)
 Intangible personal property, income, tax imposed: HB 845, HJR 15
 Inventories, 1983 tax credit delayed: *SB 5016, CH 12 E2 (1982)
 Investment tax deferrals: SB 4402, *HB 1247, CH 6 E2 (1982)
 Land, current use classification removal: Sub SB 4617
 Leases, personal property, full payout, taxation purposes: HB 1179
 Levy limit, determination provisions modified: Sub HB 17
 Levy, state, apportionment adjustments: *SB 4634, CH 28 E1 (1982)
 Liquor sales, by glass, additional tax imposed: HB 1147
 Liquor, surtax increased: *SB 5032, CH 14 E2 (1982)
 Local government, purchase contracts, awarding: HB 1231
 Local government, taxing power, construction: HB 817, HB 1014
 Local government, taxing powers prescribed: *SB 4972, CH 49 E1 (1982)
 Local sales and use tax account, distribution limitation: *Sub HB 773, CH 4 E2 (1981)
 Lottery, state, established: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
 Luxury goods, as defined, special excise tax imposed: HB 1077
 Metropolitan municipal corporations, property tax levy authorized: HB 723
 Mobile homes, rental, lease, use tax liability exclusion: HB 1206
 Mosquito control districts, minimum tax: *SB 4599, CH 217 (1982)
 Motor freight carriers, for hire, multiple taxation: *HB 752, CH 169 (1982)
 Motor vehicles, propane, natural gas, use: HB 1002
 Motor vehicle transportation companies, taxation provisions deleted: HB 764
 Motor vehicle use tax, county auditors collection fee: Sub SB 3044
 Nursing homes, costs, deduction: 921
 Oil and gas conservation committee: Sub SB 4944
 Oil and gas severance and conservation tax act: HB 814
 Pollution control, tax credits: HB 777, HB 1190
 Pollution control, tax credits, terminated: *Sub HB 485, CH 9 E2 (1981)
 Port districts, industrial development levies: *Sub SB 4963, CH 3 E1 (1982)
 Property, federal, service charges: HJM 19
 Property, real, valuation: *Sub SB 3783, CH 46 E1 (1982)
 Property, taxable, assessment, valuation examination: Sub HB 612
 Property valuation, annual adjustment, tax purposes: HB 1183
 Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
 Public utility districts, annual tax levies eliminated: HB 1222
 Public utilities, natural gas distributors, tax rate modified: *HB 1248, CH 5 E2 (1982)
 Reforestation lands, declassified: HB 1205
 Resale certificates, personal, nontransferable: HB 1043
 Road districts, excess levies authorized: HB 370
 Sales and use taxes, certain taxes modified: *SB 5032, CH 14 E2 (1982)
 Sales and use taxes, food bank and food coupon exemption: HB 1237, HB 1239, *HB 1243, CH 3 E2 (1982)
 Sales and use taxes, food products, replaced, excise tax increase: HB 1259
 Sales and use taxes, nonresident exemption permit: HB 1244
 Sales tax exemption permit, collection fees: HB 1201, *Sub HB 840, CH 5 E1 (1982)
 School community recreation districts: HB 1155
 Schools, excess levy maintenance and operation: HB 998
 Schools, 106% levy lid, state exclusion: HB 312
 Service districts, counties, establishment authorized: HB 846
 Solid waste disposal districts, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
 State lottery, establishment: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)
 Studded tires, special sales, use taxes imposed: HB 1137
 Surcharge, excise taxes modified: *SB 5032, CH 14 E2 (1982)

REVENUE AND TAXATION, DEPARTMENT OF REVENUE—cont.

- Surtaxes, temporary, imposed, sales, use taxes decreased, food products, reimposed: *SB 4250, CH 35 E1 (1982)
- Tax advisory council, membership: *SB 4992, CH 41 E1 (1982)
- Tax credits, businesses, depressed areas: HB 889
- Tax deductions, federal, property taxes, mortgage interest: HJM 21
- Tax preferences, review requirements: *SB 4250, CH 35 E1 (1982) PV
- Tax prepayments, local sales and use taxes: Sub HB 1140, *Sub SB 4859, CH 211 (1982)
- Timber, public land, timber harvesters, excise tax inclusion: SB 4399
- Timber, standing on public land, business inventory exclusion: HB 821
- Trade-in allowances, selling price, deduction: HB 755
- Transportation costs, value determination, use tax purpose: HB 963
- Travel trailers, campers, excise tax payment: HB 992
- Unclaimed property, disposition, time period reduced: *Sub HB 766, CH 1 E2 (1981)
- Unclaimed property, uniform act, enacted: Sub HB 1128
- Unfair cigarette sales act, renamed: *HB 1092, CH 16 E1 (1982)
- Universities, colleges, tuition fee surcharge: HB 1260
- Utilities, as defined, counties, unincorporated areas: HB 1219
- Vehicles, ride-sharing, elderly, handicapped persons, MVET exemption: *Sub SB 4545, CH 142 (1982)
- Wood product processing facilities, metric system conversion, B&O tax credit allowed: HB 1182

RIVERS AND STREAMS

- Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV
- Preexisting condition restoration: HB 1010
- Restoration, LID's authorized, as specified: HB 1172

ROADS (See also HIGHWAYS)

- Bicycles, facilities, construction, modifications, state standards requirement: *Sub SB 4460, CH 55 (1982)
- Counties, motor vehicle funds, county distribution formula adjusted: *SB 4713, CH 33 (1982)
- Counties, private construction permitted: *SB 4690, CH 145 (1982)
- Counties, property tax revenues, restrictions: HB 35
- Districts, excess levies authorized: HB 370
- Local government, ownership, construction: HB 1114

ROOSEVELT ELK

- Official state animal, designation: HB 4

RULES

- Amendments to House Rules pp. 25,27,28,69

SAFETY (See also HEALTH AND SAFETY)

- Boating registration system, mandatory: HB 1100
- Child safety restraints: Sub HB 288, SB 4548
- Motorcycle equipment, requirements: *Sub SB 4692, CH 77 (1982)

SALARIES AND WAGES

- Chaplains, state-employed: *HB 1072, CH 190 (1982)
- Comparable worth, higher education, state employees: SB 4769
- Education employees, increases: *Sub HB 811, CH 14 E2 (1981) PV
- Judges, counties, additional authorized: HB 918, *Sub SB 4449, CH 139 (1982)
- Judges, superior court, payment provisions revised: HB 903
- Justices of the peace, part time: *Sub HB 751, CH 29 (1982)
- Labor and industries department, user fees: *HB 795, CH 38 E1 (1982)
- Leave-without-pay program, governor authority: HB 1228
- Legislators, compensation, as defined: Sub HB 1120
- Legislators, felony conviction, salary terminated: SB 3864

SALARIES AND WAGES—cont.

- Legislators, increases, delayed: Sub SB 5006
- Public employees, raises temporarily eliminated: HB 1255
- Public works, wages, prevailing: *Sub SB 4501, CH 130 (1982)
- School employees, payment limitations specified: *2nd Sub HB 987, CH 10 E1 (1982) PV
- State employees, increases, delays: HB 1018
- State employees, increases: *Sub HB 811, CH 14 E2 (1981) PV, *HB 1226, CH 53 E1 (1982) PV
- Unemployment compensation, amount subject, specified: HB 1208
- Work performance, public employees, step increase: Sub HB 763
- Youth development, conservation corps: HB 273, *SB 4313, CH 70 (1982)

SALES

- Adults only materials, sale, exhibit, minors, penalties: HB 1081
- Beer and wine, state liquor stores, authority removal: Sub HB 1039
- Camping clubs, contracts, regulations revised: *HB 1017, CH 69 (1982)
- Commercial fishermen, direct sales to consumer allowed: HB 1071
- Containers, beverage, pull-tab, sales prohibited: *Sub HB 448, CH 113 (1982)
- Due on sale clauses, residential loans, prohibited: HB 1195
- Explosives, minors, prohibited: *HB 22, CH 111 (1982)
- Export assistance centers, establishment: Sub HB 1141
- Fireworks: Sub SB 4597, *Sub HB 1149, CH 230 (1982)
- Forest land, reforestation obligation: *Sub HB 419, CH 173 (1982)
- Forest products industry employment recovery act: HB 1037
- Forest products industry recovery act, enacted: HB 1148
- Forest products recovery act: *Sub SB 4663, CH 222 (1982)
- Gasoline prices, display visible: HB 881
- Hearing aids, licensees regulations revised: Sub HB 1150
- Land, granted, sales restrictions, certain, elimination: HJR 19
- Land, materials, public, minimum value: *HB 131, CH 27 (1982)
- Land, purchase, commercial or industrial use: HB 717
- Lands, state, lowest income-yielding, pilot program: HB 861
- Livestock, disease free, no implied warranties provision: *SB 4436, CH 199 (1982)
- Luxury goods, as defined, special excise tax imposed: HB 1077
- Motor vehicle fuel, distributors: *HB 854, CH 6 E1 (1982)
- Obscene materials, performances, definitions: HB 927
- Port districts, property, personal: *SB 4571, CH 75 (1982)
- Prophyllactics, deregulated: SB 3121
- Real estate brokers, salespersons, disclosure required: HB 1073
- Real estate, documents preparation, nonlawyers, permitted: HJR 25
- Real estate, time-sharing regulated: 2nd Sub SB 3775
- Recreation guide revolving fund, created: SB 3915
- State lands, natural resources board, designated agency: HB 908
- State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)
- Timber contracts, existing, interest rate set: Sub HB 1148, HB 1160, Sub SB 4663
- Timber sales, procedures, modifications, DNR, directed: *HCR 42 (1982)
- Trade-in allowances, sales tax purposes: HB 755
- Water heaters, temperature setting requirements: Sub HB 973
- Wineries, domestic, wholesale, retail class J licenses provision: *Sub HB 1063, CH 85 (1982)

SALMON

- Buy-back program, commercial vessels: HB 841
- Commercial fisherman, catch, sales direct: HB 1071
- Commercial net fishing areas: HB 458
- Eggs, excess, disposition: SB 4612
- Enhancement projects, federal funding petitioned: SJM 110
- Enhancement projects, spending provision: HB 1087

SALMON—cont.

- Fish hatchery revolving fund, created: Sub SB 3965
- Fishing authority, limited to Grays Harbor—Columbia river commercial salmon fish gill net licenses: HB 458
- Fish protective devices, installation, voluntary: HB 1096
- Hatcheries, private, nonprofit: HB 1079
- Management plan, fisheries department: Sub SB 3557
- McNeil Island, salmon rearing net pen: *Sub HB 1230, CH 48 E1 (1982) PV
- Release—recapture facilities, authorized: SB 4612
- Treaty Indian fisheries, participation limited: *SB 4522, CH 197 (1982)
- Tribal claims, rights, fish, other natural resources: HJM 20

SAVINGS AND LOAN ASSOCIATIONS

- Alcohol beverage business, financial interest allowed: SB 4729, HB 1059, *Sub HB 1063, CH 85 (1982)
- Assets, acquisition, foreign associations excluded: *Sub HB 833, CH 3 (1982)
- Funds, public, state treasurer, investment authority: *SB 4507, CH 148 (1982)

SCHOLARSHIPS

- ASB funds, use, scholarship, charitable purposes: *Sub SB 3617, CH 231 (1982)
- Athletic, higher education students, tuition, fee waivers: Sub SB 3237
- Higher education institutions, miscellaneous changes prescribed: *2nd Sub HB 784, CH 37 E1 (1982)

SCHOOLS AND SCHOOL DISTRICTS

- Abuse prevention programs, SPI adoption urged: HCR 35, Sub SCR 134
- Accounts, records, ESD inspection requirement removed: HB 188, SB 3242
- ASB funds, use, scholarship, charitable purposes: *Sub SB 3617, CH 231 (1982)
- Athletic commission, purpose stated: Sub HB 858
- Attendance, exemption, children, religious, personal beliefs: Sub HB 996
- Attendance incentive program, buy—back authority repealed: HB 803
- Audits, private accounting firms, use permitted, bid requirement: Sub HB 857
- Bond issues, certain, forty percent validation requirement removed: HB 997
- Building and capital projects fund, moneys, use: *Sub HB 849, CH 191 (1982)
- Certificated employees, contracts, status: Sub HB 790
- Classified employees, retirement: HB 1252
- Code, education, miscellaneous changes: HB 1135, Sub SB 4707
- Community participation, economic use of resources: Sub HB 770
- Consolidation, same two districts: *Sub HB 849, CH 191 (1982)
- Debts, information, public access: HB 1207
- Direct student service programs: *HB 401, CH 46 (1982)
- Disasters, unforeseen events occurrence: HB 676
- Drivers' ed, traffic safety education account, discontinued: HB 779
- Drivers' ed, traffic safety education courses: HB 800
- Drugs, alcohol, effects, 7th, 8th grade health courses: SB 3724
- Educational policies, structure: *SB 3609, CH 33 E1 (1982)
- Employees, payment limitations specified: *2nd Sub HB 987, CH 10 E1 (1982)
- Excellence in education act: HB 919
- Facilities, damage, natural disaster cause: HB 1020
- Fact—finding procedures, educational employment relations act: SB 3405
- Federal forest revolving fund, created: *Sub HB 868, CH 126 (1982)
- Fees, pupil transportation, traffic safety: HB 776
- Firearms, dangerous weapons, school premises: Sub HB 898, *HB 600, CH 47 E1 (1982) PV
- Forty percent validation, excess levy elections: HJR 20
- Four—day week, pilot program: HB 1000
- Funds, apportionment schedule modified: *Sub SB 4502, CH 136 (1982)
- Funds, building, investment, agent authority: SB 4421, SB 4743
- Funds, excess, investment requirements revised: HB 771

SCHOOLS AND SCHOOL DISTRICTS—cont.

- Handicapped children, education opportunity provisions: HB 1045
 History contest, national, student participation: *SCR 146 (1982)
 Hygiene, instruction requirement repealed: SB 3240
 Industrial insurance, self-insurers, authorized: Sub SB 4648
 Institutions, deaf, blind, educational facilities: HB 1189
 Insurance, permanent fund, loss coverage: SB 4647
 Juveniles, institutional education, duties: Sub HB 1089
 Kindergarten, school year defined: *SB 3587, CH 158 (1982)
 King, Martin Luther Jr., legal holiday: HB 1196
 Land, granted, sales restrictions, certain, elimination: HJR 19
 Leave-without-pay program, governor authority: HB 1228
 Levies, excess, forty percent validation requirement removed: HJR 20
 Levies, excess, maintenance and operation, increase authorized: HB 998
 Levies, 106% levy lid, state exclusion: HB 312
 Liquor licenses, applications, written notice requirement: HB 1005, *Sub HB 1063, CH 85 (1982)
 Noncertificated employees, sufficient cause discharge: HB 1132
 Oral medication, students, administration authorized: *2nd Sub SB 3541, CH 195 (1982)
 Property damage, pupil liability: *Sub HB 462, CH 38 (1982)
 Public depositories, funds investment authorized: HB 1110
 Public disclosure, small jurisdictions, reporting: *Sub HB 40, CH 60 (1982)
 Pupil transportation, vehicles bond issuance: Sub HB 869
 Pupil transportation, vehicles, purchase, borrowing: Sub HB 770
 Reforestation lands, declassified: HB 1205
 Retirement benefits, excessive increases: *2nd Sub HB 987, CH 10 E1 (1982) PV
 School community recreation districts: HB 1155
 Short-term obligations, bonds, interest provision: *Sub SB 4728, CH 216 (1982)
 Sick leave, accumulated, retiring employees: *2nd Sub HB 124, CH 54 E1 (1982) PV
 Student transportation, apportionment: *Sub SB 4675, CH 24 E1 (1982)
 Student transportation, five-year contracts authorized: *Sub HB 849, CH 191 (1982)
 Trust land, public, purchase rights: *Sub SB 4864, CH 31 E1 (1982)
 Vocational agricultural education unit, SPI: HB 1221
 Vocational education, functions, federally required: HB 1026

SCHOOLS - PRIVATE

- Oral medication, students, administration authorized: *2nd Sub SB 3541, CH 195 (1982)

SCHOOLS - PROPRIETARY

- Cosmetology regulations, revised: *2nd Sub HB 378, CH 225 (1982) PV

SCHOOLS - RESIDENTIAL

- Deaf, blind, sensory handicapped: Sub HB 148
 Educational facilities, programs, DSHS contracts: HB 1189
 Fees, residential services, DSHS, conditions specified: Sub HB 759, *Sub SB 4418, CH 201 (1982)
 Frances Haddon Morgan children's center, Bremerton: *SB 4199, CH 89 (1982)
 Juveniles, in detention, educational requirements: Sub HB 1089
 Social and health services financial responsibility act, enacted: Sub HB 759

SCOLIOSIS

- Screening, program reduction prohibition: *Sub HB 811, CH 14 E2 (1981) PV

SEARCH AND RESCUE

- Transportation department, appropriation: *Sub SB 3946, CH 25 E1 (1982)

SEATBELTS

- Child safety restraints, standards adoption: Sub HB 288, SB 4548

SEATTLE

- Convention and trade center, council created, study: SCR 116

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

SEATTLE—cont.

- Convention and trade center, nonprofit corporation management, bond issuance, lodging excise tax: *Sub HB 1015, CH 34 (1982)
- Emission control program, nonattainment areas, repeal urged: HJM 24
- Fort Lawton/Discovery Park, final disposition: 2nd Sub SB 3027
- Smith's Cove Waterway, offer to sell, Port of Seattle, fair market value: *SB 4025, CH 1 E1 (1982)

SECRETARY OF STATE

- Absentee ballots, hospital patients, application provision: Sub HB 43
- Ballots, general elections, uniform format: SB 4471, HB 879, *Sub HB 888, CH 121 (1982)
- Budget, federal, balanced, constitutional amendment or constitutional convention: SJM 105
- Budget stabilization account: Sub HJR 13
- Candidates, indigent, filing: HB 945
- Candidates, municipal office, declaration of candidacy filing: HB 439
- Certification of election p. 191
- Citizen assessment, public information division, created: Sub HB 995
- Constitution, obsolete provisions, removed: SJR 142
- Current use valuation, lands with water dependent uses: HJR 24
- Debt, state, limitation: HJR 22
- Education board, state, composition, duties: HJR 16
- Energy conservation, renewable energy sources: 2nd Sub SJR 111
- Filing procedures, fee schedules: HB 939, *Sub SB 4716, CH 35 (1982)
- Income tax, net, ability to pay basis: HB 1194, HJR 26
- Incorporation, association, business license center: HB 818, *Sub HB 878, CH 182 (1982)
- Indebtedness, public improvements: HJR 21, *Sub SJR 143 E1 (1982)
- Initiatives, referendums, clarified: Sub SB 3895
- Initiatives, referendums, petition requirements: *Sub HB 663, CH 116 (1982)
- Intangible personal property, income, tax imposed: HB 845, HJR 15
- Land, granted, sales restrictions, certain, elimination: HJR 19
- Law practice, legislature definition authorized: HJR 23
- Legislative districts, 12 and 13, modified: HB 1085
- Legislative districts, 40 and 42, modified: HB 1188
- Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
- Message, appointment, Jim Lyon p. 1427
- Oil drilling, controlled directional: HB 9
- Proclamation, governor, transmittal pp. 1, 1427
- Productivity board, annual status report: *Sub HB 837, CH 167 (1982)
- Real estate sales, documents preparation, nonlawyers: HJR 25
- Redistricting and reapportionment, designation: Sub HB 786
- Redistricting commission, establishment, members: HJR 14, Sub SJR 108
- Schools, bond elections, certain, forty percent validation requirement removed: HB 997, HJR 20
- State government, regulation requirements: HB 1022
- State lottery, establishment, referendum provision: 2nd Sub HB 1103
- Superintendent of public instruction, removed from executive department: HJR 17
- Tax credits, businesses, depressed areas, authorized: HJR 18
- Veto messages, 1981, transmitted pp. 1, 186
- Voters pamphlet, bond measures, information: Sub HB 11
- Voters, qualifications previously found unconstitutional, repealed: *SB 4749, CH 99 (1982)
- Voting boundary commission act, redistricting: Sub HB 786, *Sub HB 787, CH 2 (1982)
- Voting by mail, certain precincts, permitted: HB 1003
- Voting devices, approval authority transferred: *HB 572, CH 40 (1982)

SECURITIES

- Banks, trust companies, shares acquisition prohibited: HB 924, HB 936
- Controlled substances, acquisition use: *Sub HB 15, CH 171 (1982)
- Insurers, domestic, investments, assets, provisions implemented: *SB 4569, CH 218 (1982)

SENIOR CITIZENS

Dependent persons, adult, abuse, report procedures: Sub SB 3582
 Fishing license, seventy and older, reduced-fee: HB 880
 Housing finance commission, creation, low-income: HB 1175
 Nursing homes, costs, deduction, exemption: HB 921
 Vehicles, ride-sharing, MVET exemptions: *Sub SB 4545, CH 142 (1982)

SENTENCES - PENAL

Crime victims compensation: *2nd Sub HB 828, CH 8 E1 (1982)
 Drunk drivers, mandatory 24-hour imprisonment: Sub SB 4819, *HB 600, CH 47 E1 (1982) PV
 Felons, revisions: *Sub HB 874, CH 192 (1982)
 Firewood harvesting, transportation, regulated: Sub HB 643
 Guilty but mentally ill, sentence requirements: HB 873
 Insanity defense eliminated: HB 1258
 Juveniles, confinement, maximum period specified: HB 769
 Legislators, felony conviction, salary termination: SB 3864
 Minimum terms, community supervision: *Sub HB 874, CH 192 (1982)
 Rape, first degree, convictions: *Sub HB 874, CH 192 (1982)
 Suspended, court modification: *HB 600, CH 47 E1 (1982) PV

SERVICE CHARGES

Federal property, states, imposition permission, petitioned: HJM 19
 Telephone companies, charges, mileage, toll, electronic data: HB 949

SESSION LAWS

Distribution, statute law committee requirements: HB 1080, *SB 4717, CH 32 E1 (1982)

SEWERAGE AND SEWER DISTRICTS

Annexation, procedures prescribed: *SB 4064, CH 146 (1982)
 Commissioners, merged special purpose districts: *SB 4905, CH 104 (1982)
 Comprehensive plans, county legislative authority: *Sub SB 4481, CH 213 (1982)
 Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
 Formation, annexation, consolidation, merger: *HB 1145, CH 17 E1 (1982)
 Materials, work, improvements, cost increased: *SB 4905, CH 104 (1982)
 Sewer lines, new, referendum 39 bond moneys: SB 4877
 Short-term obligations, issuance authorized: *Sub SB 4728, CH 216 (1982)
 Street lighting systems: *SB 4602, CH 105 (1982)
 Territory withdrawing, assets distribution specified: HB 1136

SHELTERED WORKSHOPS

Printing services, total copy systems services: *Sub HB 1024, CH 164 (1982)

SHELTERS

Farm workers shelter council, created: HB 1051

SHIPS AND BOATS

Boating registration system, mandatory: HB 1100
 Commercial fishermen, direct sales to consumer allowed: HB 1071
 Crab licenses, commercial, Puget Sound licensing district, issuance requirements: HB 842, *SB 4464, CH 157 (1982)
 Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)
 Navigation projects, federal full funding maintenance petitioned: *SJM 115 (1982)
 Salmon fishing, treaty Indian fisheries, nontreaty Indian participation limited: *SB 4522, CH 197 (1982)
 State parks, selected, boat moorage fee program: HB 865, *Sub SB 4369, CH 50 E1 (1982) PV

SHORELINE MANAGEMENT

Aquatic lands joint legislative committee: *Sub SB 4824, CH 21 E1 (1982)
 Aquatic lands task force, convening: 2nd Sub HB 1093

SHORELINE MANAGEMENT—cont.

Cherry Point, state-wide economic significance designation: *SB 4831 V
 Classification, changing circumstances, revisions: *SB 3916, CH 13 E1 (1982)
 Committee, select, created, members, duties, report: HCR 39
 Land, water dependent uses, current use valuation: HB 1191, HJR 24
 Local government master program adjustments: Sub HB 1098, HB 1104
 Oil drilling, controlled directional: HB 9
 Permits, review, shoreline hearings board: Sub HB 914
 Shorelands, leases, maximum annual increase rate set: 2nd Sub HB 1093, *Sub SB 4824,
 CH 21 E1 (1982)
 St Helens, recovery operations: *Sub SB 4510, CH 7 (1982)

SICK LEAVE

Attendance incentive program, buy-back authority repealed: HB 803
 School employees, retiring, payments: *2nd Sub HB 124, CH 54 E1 (1982) PV

SIGNS

Gasoline prices, display visibility: HB 881
 Political, billboards, advertising, yard signs, defacing, removal, penalty prescribed: HB 1118

SMITH'S COVE WATERWAY

Vacation, offer sell, Port of Seattle, fair market value: *SB 4025, CH 1 E1 (1982)

SMOKE DETECTORS

Day care centers, installation required: Sub HB 860

SMOKING

Inmates, not provided unless earned: *Sub HB 811, CH 14 E2 (1981) PV
 Public places, as specified, regulated: HB 1142

SNOWMOBILES

Registration, fees increased: *HB 896, CH 17 (1982)

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF

Abortion, induced premature birth, medical care services prohibited: *2nd Sub HB 756, CH
 10 E2 (1981)
 Adoption, support, eligibility age lowered: *Sub HB 848, CH 118 (1982)
 Alcoholism, drug abuse programs: HB 850, *HB 410, CH 193 (1982)
 Blind commission, abolished: Sub HB 799
 Blind services, appropriation repealed: *Sub SB 4369, CH 50 E1 (1982) PV
 Blind youth, suitable institution, parental designation provision: HB 1189
 Blood banks, regulations imposed: HB 872
 Certificate of need program: *HB 757, CH 119 (1982)
 Child abuse and neglect council, established: *3rd Sub HB 179 CH 4 (1982)
 Children and families division, plans development: HB 1209
 Child support guidelines special commission, established: HB 1163
 Cigarette tax, increased, cancer research: HB 885
 Community mental health agencies, certification provisions: HB 1146
 Community mental health program, annual plan, proposed expenditures: HB 853
 Community mental health services act, revised: HB 1046, *Sub SB 4786, CH 204 (1982)
 Community social services act: HB 976
 Community social services, local responsibility: HB 1235
 Community work experience pilot projects: Sub HB 812
 Cost-shared day care program: Sub HB 1105
 Day care centers, health, fire inspection provisions: Sub HB 860
 Day care centers, license fee exemption: HB 1238
 Day care homes, as defined, nonregistration: HB 758
 Day care homes, private family, regulated: SB 3007
 Day care services, homes, standards, licenses: Sub HB 860
 Developmentally disabled persons, statute: *HB 851, CH 224 (1982) PV
 Diagnostic services, children, as specified, court referral: HB 781

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF—cont.

- Displaced homemaker program: *HB 286, CH 15 E1 (1982)
- Drinking deterrence and treatment fund: HB 1164, HB 1229
- Employable persons, unemployed, general assistance: Sub SB 3539
- Facilities, bond issuance authorized: *Sub HB 808, CH 23 E1 (1982)
- Federal revenues, availability: *Sub HB 811, CH 14 E2 (1981) PV
- Financial responsibility requirements: Sub HB 759, *Sub SB 4418, CH 201 (1982)
- Food stamps, allotments, housing subsidies: *2nd Sub HB 756, CH 10 E2 (1981)
- Foster care, revisions, adoption support: *Sub HB 848, CH 118 (1982)
- Foster family home, redefined: HB 758
- Insect stings, shot administration, liability immunity: HB 928
- Legend drugs, patient/practitioner histories review: HB 1167
- Mental health contributions account: HB 1204
- Monetary penalties, civil, certain, seeking, authorized: HB 758
- Northwest interstate compact on low-level radioactive waste management: Sub SJM 124
- Nuclear waste, high-level, federal policies, modification petitioned: HJM 23, SJM 116
- Nursing homes, appraisers, accounting purposes: *HB 728, CH 117 (1982)
- Nursing homes, auditing and cost reimbursement modified: *HB 1249, CH 1 E2 (1982)
- Nursing homes, cost reimbursement requirements: *Sub SB 4285, CH 19 E1 (1982) PV
- Nursing homes, patients, publicly supported: Sub HB 1158
- Occupational information service: *Sub HB 920, CH 43 (1982)
- Posttraumatic stress disorder training: HB 470
- Radioactive waste, joint select committee, established: SCR 140
- Schools, pre-elementary school children, education: HB 951
- Shelton correctional institution, single cell requirement, repealed: *HB 1246, CH 2 E2 (1982)
- Uranium, thorium, milling defined: *SB 3425, CH 78 (1982)
- Water supply facilities, appropriation: *Sub HB 1230, CH 48 E1 (1982) PV

SOCIAL SERVICES

- Children and families division, DSHS: HB 1209
- Community social services act, DSHS secretary supervision: HB 976
- Community social services, local responsibility, DSHS secretary rules: HB 1235
- Vehicles, ride-sharing, elderly, handicapped: *Sub SB 4545, CH 142 (1982)
- Volunteer counseling services: HB 1106

SOCIAL WORK

- Counselors, professional, mental health: HB 953

SOLAR ENERGY

- Buildings, publicly owned, leased, design, renewable energy systems, consideration: *SB 3156, CH 159 (1982)
- EFSEC, solar plants, authority, expedited application provision as specified: Sub HB 912

SOLID WASTE DISPOSAL

- Advisory committee, membership increased: *SB 4909, CH 108 (1982)
- Districts, establishment authorized, tax levy, bond issuance: *Sub HB 221, CH 175 (1982)
- Nuclear waste, high-level, federal policies, petitioned: HJM 23, SJM 116
- Sanitary landfills, operation cessation: HB 1171
- Solid waste advisory committee, abolished: Sub HB 762
- Solid wastes, ownership, vested in collector: HB 735

SPECIAL PURPOSE DISTRICTS

- Commissioners, merged districts, office-holding, election, ballot provisions modified: *SB 4905, CH 104 (1982)
- Environmental coordination procedures act: Sub HB 634
- Formation, annexation, consolidation: *HB 1145, CH 17 E1 (1982)
- General comprehensive plans, *Sub SB 4481, CH 213 (1982)
- Sewer, water districts, annexation procedures: *SB 4064, CH 146 (1982)
- Street lighting systems, sewer, water districts: *SB 4602, CH 105 (1982)

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

SPIRIT LAKE

State Route 504, renamed Spirit Lake Memorial Highway: *SB 4706, CH 82 (1982)

SPORTS

Athletic agencies, as defined, regulation requirements specified: HB 1157

Athletic commission, boxing definition, wrestling exclusion: Sub HB 858

School community recreation districts, conditions: HB 1155

SPOUSES

Criminal actions, witness, disqualification: *SB 4474, CH 56 (1982)

Industrial insurance, compensation, death benefits: *SB 4133, CH 20 E1 (1982)

Legislators, contracts, governmental units, reporting required: Sub HB 1121

Medical assistance, eligibility requirements, responsibility: *Sub HB 557, CH 3 E2 (1981)
PV

STADIUMS

Cultural arts, stadium, and convention districts, establishment permitted: *Sub HB 1156,
CH 22 E1 (1982)

Metropolitan municipal corporations, operation authorized: HB 723

STAMPS

Mount St. Helens, eruption, commemorative stamp issuance petitioned: *HJM 15 (1982)

STATE ARCHIVES

Records, public, preservation, destruction: *HB 357, CH 36 (1982)

STATE AUDITOR

Agencies, audited, costs, budget preparation estimates: *Sub SB 4369, CH 50 E1 (1982) PV

Agriculture marketing agreements, commissions: *Sub SB 4566, CH 81 (1982)

Audits, local government, costs, procedures revised: HB 943

Audits, local government, drafts: HB 944

Audits, public agencies, as specified, private accounting firms, use permitted: Sub HB 857

Debt information, state, local, duties: HB 1207

Improper governmental actions, disclosure, public employees: *Sub HB 593, CH 208 (1982)

Joint operating agencies, contractors, subcontractors books: HB 1032

Municipal corporations, audit expenses: *Sub HB 855, CH 206 (1982)

State lottery, annual post-audit required: HB 807, 2nd Sub HB 1103

STATE BUILDING CODE

Committee, joint select, created: SCR 139

Energy efficient thermal, lighting standards, commercial, residential buildings: SB 3310, SB
4113

Jails, space requirements: *Sub HB 774, CH 12 E2 (1981)

Transient accommodations: HB 798

Updated: Sub HB 1052

STATE FINANCE COMMITTEE

Debt information, state, local, duties: HB 1207

Debt limit, statutory provisions, as specified: Sub HB 806

STATE FINANCE COMMITTEE - BONDS

Citizens' bonds, requirements, exemptions: HB 1082

Corrections department, facilities, issuance authorized: *Sub HB 808, CH 23 E1 (1982)

STATE GOVERNMENT

Appropriations, modified: *Sub SB 4369, CH 50 E1 (1982) PV

Appropriations, reduced: *Sub HB 811, CH 14 E2 (1981) PV

Allotment reductions, governor authorized: *SB 5033, CH 15 E2 (1982)

Audits, private accounting firms, use permitted: Sub HB 857

Budget, balanced, each biennium, state duty: Sub HJR 13

Budget stabilization account, transfers, deposits: *Sub HB 1109, CH 36 E1 (1982)

Buildings, publicly owned, leased, design, renewable energy systems consideration: *SB
3156, CH 159 (1982)

STATE GOVERNMENT—cont.

- Capital purchase and development account: *HB 1253, CH 8 E2 (1982)
- Citizen assessment, public information division, created: Sub HB 995
- Constitution, obsolete provisions, removed: SJR 142
- Credit cards, use authorized: *SB 4705, CH 45 E1 (1982)
- Debt information, public access, finance committee: HB 1207
- Debt limitation: HJR 22
- Debt limit, statutory, bond issues, as specified: Sub HB 806
- Debt payments, principal, interest, maximum amount: HB 1035
- Debt restrictions, as specified: HB 1027
- Debts, public, collection agencies: SB 4476, *HB 844, CH 65 (1982)
- Drug trafficking enforcement unit: 2nd Sub HB 603
- EFSEC, powers, duties, membership: HB 912
- Emergency management, select committee: SCR 142
- Employees, number, regulation requirements: HB 1022
- Energy conservation, energy renewable resources: 2nd Sub SJR 111
- Facilities, energy audits: *2nd Sub HB 658, CH 48 (1982)
- Federal property, service charges: HJM 19
- Forms and paperwork reduction act: HB 1169
- Forms reduction act, licensing: *SB 4559, CH 214 (1982)
- Funds, cash flow, estimates, management: *Sub HB 773, CH 4 E2 (1981)
- Incentive pay, productivity board created: *Sub HB 837, CH 167 (1982)
- Information systems management reorganization task force: HB 411
- Information systems office, established: 2nd Sub HB 941
- Inmate labor, state facilities: HB 768
- Insurance, proprietary coverage, purchase: HB 933
- Land, leases, negotiated: HB 910
- Land, sales, natural resources board: HB 908
- Leave-without-pay program, governor authority: HB 1228, *Sub HB 1226, CH 53 E1 (1982) PV
- Legal-size media, defined, use prohibited: Sub HB 895
- Paper, recycled, purchase preference: *Sub HB 259, CH 61 (1982)
- Pharmacy board, diversion investigation unit: 2nd Sub HB 603
- Planning and community affairs agency: HB 913, Sub SB 4586
- Printing services, total copy systems services: *Sub HB 1024, CH 164 (1982)
- Property, inventory, legislative budget committee: Sub HCR 41
- Public service commission, name change: SB 3898
- Real estate, general administration department: *Sub HB 810, CH 41 (1982)
- Records, public, preservation, destruction: *HB 357, CH 36 (1982)
- Retirement, early, OFM study requirements: *2nd Sub HB 124, CH 54 E1 (1982) PV
- Rules, administrative, statutes, concise language: Sub HB 835
- Rules, agencies, filing procedures revised: *SB 4660, CH 221 (1982)
- Rules review, procedures prescribed: *HCR 52 E1 (1982)
- Salaries, increases, time frame revised: *Sub HB 811, CH 14 E2 (1981) PV
- Schools, 106% levy lid, state exclusion: HB 312
- State agencies, license, regulatory requirements: HB 818, *Sub HB 878, CH 182 (1982)
- The Evergreen State College, abolished: HB 793
- Transition trust lands revolving fund act, DNR appropriation: HB 911

STATE HISTORICAL SOCIETY

- Japanese-Americans, internment, commemoration: HB 483

STATE INVESTMENT BOARD

- Investments, state economy stimulation, urged: *HCR 37 E1 (1982)
- State investment board commingled trust fund: *SB 4644, CH 58 (1982)

STATE LOTTERY

- Establishment, gambling commission: HB 807, 2nd Sub HB 1103, HB 1240, *HB 1251, CH 7 E2 (1982)

* - Measures Passed by Both House and Senate and Confirmed Gubernatorial Appointments

STATE PARKS

Boat moorage fee program, establishment: HB 865, *Sub SB 4369, CH 50 E1 (1982) PV
 Camping spaces, use, nonpayment, gear removal, misdemeanor: HB 1170
 Improvements, volunteer work: HB 843, *SB 4477, CH 156 (1982)
 Rangers, entry level, civil service requirements: *SB 4307, CH 79 (1982)

STATE PRINTER

Sheltered workshops, day training centers: *Sub HB 1024, CH 164 (1982)

STATE TREASURER

Budget, balanced, each biennium, state duty: Sub HJR 13
 Budget stabilization account, transfers, deposits: Sub HB 1109
 Certificates of deposit: *SB 4506, CH 74 (1982)
 Community college education board, vendor payments: *HB 1036, CH 50 (1982)
 Financial reporting system: *Sub SB 4369, CH 50 E1 (1982) PV
 Fire protection districts, contiguous property: Sub SB 3512
 Funds, state, surplus, investment authority: *SB 4507, CH 148 (1982)
 Horse racing, gross receipts: HB 1215
 Judges, superior court, salaries: HB 903
 Motor vehicle fund distributions, counties: HB 595
 Property sales, proceeds: *HB 964, CH 176 (1982)

STATUTE LAW COMMITTEE

Session laws, journals, distribution: HB 1080, *SB 4717, CH 32 E1 (1982)
 The Evergreen State College, abolished: HB 793

STATUTE OF LIMITATIONS

Irrigation districts, real property recovery, exemption: Sub HB 932
 Legislative ethics, former legislators, employees: SB 3921

STEVENS COUNTY

Judicial district, new position: HB 918, *Sub SB 4449, CH 139 (1982)

STOCKS AND STOCKHOLDERS

Banks, investments: *HB 1074, CH 86 (1982)

STUDENTS

Abuse prevention programs, SPI adoption urged: HCR 35, Sub SCR 134
 ASB funds, use, scholarship: *Sub SB 3617, CH 231 (1982)
 College facilities, living in, legal age: Sub HB 148
 Direct student service programs: *HB 401, CH 46 (1982)
 Excellence in education act: HB 919
 Faculty-student contact hours: HB 1228
 Fees, pupil transportation, traffic safety: HB 776
 Higher education institutions, miscellaneous changes: *2nd Sub HB 784, CH 37 E1 (1982)
 High school education completion: HB 1042, *Sub HB 848, CH 118 (1982)
 Idaho, tuition, fees reciprocity authorized: HB 461
 Kindergarten, school year defined: *SB 3587, CH 158 (1982)
 National history contest: *SCR 146 (1982)
 Oral medication, administration: *2nd Sub SB 3541, CH 195 (1982)
 Postsecondary student assistance programs, federal funds, HJM 26, *Sub SJM 118 (1982)
 Public assistance, schooling or training: *2nd Sub HB 756, CH 10 E2 (1981)
 Schools, property damage, liability: *Sub HB 462, CH 38 (1982)
 Standardized student testing program: Sub HB 770
 The Evergreen State College, abolished: HB 793
 Transportation, school districts, apportionment, distribution: *Sub SB 4675, CH 24 E1
 (1982)
 Transportation, school districts, five-year contracts authorized: *Sub HB 849, CH 191
 (1982)

STUDIES

Alcohol-related traffic offenses: HB 1147, HB 1229
 Beer, wine sales, state liquor stores: Sub HB 1039
 Education, higher education: *Sub SB 4369, CH 50 E1 (1982) PV
 Facilities, state, energy audits: *2nd Sub HB 658, CH 48 (1982)
 Indian affairs, joint select committee: HCR 43
 Oil and gas joint committee formation: *HCR 50 E1 (1982)
 Retirement, early, impacts, OFM study requirements: *2nd Sub HB 124, CH 54 E1 (1982)
 PV
 Revenue department, nonresident permits tax gain study: *Sub HB 840, CH 5 E1 (1982)
 Utilities, locally regulated, rates: HB 1210
 Veterans' memorial parks, cemeteries: HB 836

SUBDIVISIONS

Land, division, time extensions: Sub HB 1134
 Near airports, DOT secretary notification required: *HB 330, CH 23 (1982)
 Plats, final, approval, three-year limitation: HB 876

SUGAR AND SUGAR BEETS

Commercial feed act, revisions: *Sub HB 1131, CH 177 (1982)
 Products, sales, use taxes exemptions removed: HB 1199

SUPERINTENDENT OF PUBLIC INSTRUCTION

Abuse prevention programs, adoption urged: HCR 35
 Abuse prevention programs, guidelines, curriculum development directed: Sub SCR 134
 Appointment, state board of education: HJR 16
 Attendance incentive program: HB 803
 Bond issues, certain, forty percent validation: HB 997
 Displaced homemaker program: *HB 286, CH 15 E1 (1982)
 Drugs, alcohol, effects, health courses: SB 3724
 Educational policies, structure: *SB 3609, CH 33 E1 (1982)
 Educational service districts, funds: *Sub SB 4502, CH 136 (1982)
 Education board, state, composition, duties: HJR 16
 Education board, state, position redefined: HB 1129, *Sub SB 4917, CH 160 (1982)
 Employees, retired, annual report requirement: HB 987
 Executive department, removed from: HJR 17
 Federal forest revolving fund: *HB 868, CH 126 (1982)
 Four-day week, pilot program: HB 1000
 Funds, general expense, special purpose: HB 188, SB 3242
 Industrial insurance, self-insurers: Sub SB 4648
 Leave-without-pay program: HB 1228
 Levies, forty percent validation requirement removed: HJR 20
 Levies, excess, maintenance and operation: HB 998
 Levies, 106% levy lid, state exclusion: HB 312
 Occupational information service: *Sub HB 920, CH 43 (1982)
 Permanent insurance fund: SB 4647
 Program objectives: Sub HB 770
 Salary, benefit increases: *Sub HB 811, CH 14 E2 (1981) PV
 School districts, unforeseen events occurrence: HB 676
 Student transportation, report: *Sub SB 4675, CH 24 E1 (1982)
 Vocational agricultural education unit, established: HB 1221
 Vocational education commission, abolished: HB 1040
 Vocational education, functions: HB 1026

SUPERIOR COURTS

Arbitration, jurisdiction: *HB 897, CH 122 (1982)
 Arraignment by counsel, court permitting waiver: HB 1192
 Children, support obligations: HB 1163
 Civil actions, mandatory arbitration: *Sub HB 887, CH 188 (1982)

SUPERIOR COURTS—cont.

Guardian, public, counties, position creation: HB 1038
 Industrial insurance appeals board, decisions: SB 4947
 Judges, various counties, new position, salary: HB 918, *Sub SB 4449, CH 139 (1982)
 Judges, salaries, payment provisions revised: HB 903
 Juveniles, bail forfeiture program: HB 805
 Juveniles, handling, methods modified: HB 1056, SB 4733
 Local government master program adjustments: Sub HB 1098, HB 1104
 Police courts, city, appellate procedures revised: SB 4489
 Savings and loan associations, cease and desist orders: Sub HB 833
 Social and health services financial responsibility act: Sub HB 759

SUPPORT AND SUPPORT ENFORCEMENT

Children, support obligations: HB 1163
 Children, support obligations, unemployment compensation: HB 809
 Children, unemployment compensation: HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982), *Sub SB 4418, CH 201 (1982)
 Child support guidelines special commission: HB 1163
 Social and health services financial responsibility act: Sub HB 759

SUPREME COURT

Arraignment by counsel, court permitting waiver: HB 1192
 Federal reserve, audit, independent: *SCR 127 (1982)
 Judges, pro tempore, appeals court judges: *SB 4491, CH 72 (1982)
 Police courts, city, appellate procedures revised: SB 4489
 Redistricting commission, jurisdiction: HJR 14, Sub SJR 108
 Voting boundary commission act, redistricting: Sub HB 786, *Sub HB 787, CH 2 (1982)

SURETY BONDS

Athletic agencies, regulation requirements: HB 1157
 Contractors, public works projects: *Sub SB 4200, CH 98 (1982)
 Contractors, reserved funds, bond: *Sub HB 931, CH 170 (1982)
 Fireworks, requirements revised: Sub SB 4597, *Sub HB 1149, CH 230 (1982)
 Health maintenance organizations, financial procedures: HB 930, *SB 4701, CH 151 (1982)
 Hearing aids, licensees regulations revised: Sub HB 1150
 Irrigation districts, contract payments: HB 198
 Livestock dealers, additional bond requirement: *Sub SB 4438, CH 194 (1982)
 School districts, first class, honest performance bonds: *Sub HB 849, CH 191 (1982)

SURPLUS PROPERTY

Information process: 2nd Sub HB 941
 Real estate, GA director, authority: *Sub HB 810, CH 41 (1982)
 State, inventory, legislative budget committee: Sub HCR 41

SURVEYORS AND SURVEYING

Professional engineers, land surveyors, registration board, disciplinary powers, maximum fine: *HB 442, CH 37 (1982)

SURVEYS

Fees, DNR, authorized: *Sub HB 1012, CH 165 (1982)
 Public land, official plats, certified copies: HB 641

TASK FORCES

Aquatic lands: 2nd Sub HB 1093
 Centennial celebration: HCR 38
 Court congestion: *HB 864, CH 187 (1982)
 Information systems management reorganization: HB 411
 Legal-size media, defined, use prohibited: Sub HB 895
 Public investment: SCR 147
 Utility rates: HCR 40

TAVERNS

Food pick up, persons over 18, allowed, unless locally prohibited: HB 1063

TAX APPEALS, BOARD OF

Appeals, prohibitions specified: HB 1168

Appeals, property owners, county indicated ratios: Sub HB 962

Property tax exemptions, changes: Sub HB 961

TAXES - AIRCRAFT FUEL EXCISE

Rate, established, exemptions: *Sub SB 3946, CH 25 E1 (1982)

TAXES - ALCOHOLIC BEVERAGES

Drinking deterrence and treatment fund: HB 1164, HB 1229

Surtax, beer, wine imposed: *SB 4250, CH 35 E1 (1982) PV

Wine, grape program, industry research: Sub HB 893

Wine instruction, licensees, wineries, wholesalers, permitted, viticulture, enology study groups: Sub SB 4526

TAXES - BUSINESS AND OCCUPATION

Amusement devices: HB 1202

Businesses, depressed areas, tax credits: HB 889, HJR 18

Cities, increases, surtax termination: *SB 4972, CH 49 E1 (1982)

Energy assistance, low-income homeowners: HB 985

Increase, prescribed, minimum dollar amount: HB 785

Increase, temporary, conditions prescribed: HB 761

International banking facilities, gross receipts exemption: HB 929, *Sub SB 4115, CH 95 (1982)

Inventory, leased personal property: *Sub HB 313, CH 174 (1982)

Local government, taxing powers: *SB 4972, CH 49 E1 (1982)

Meat products, perishable: HB 1004

Motor freight carriers, for hire: *HB 752, CH 169 (1982)

Oil and gas severance and conservation tax act: HB 814

Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV

Weatherization assistance: HB 985

Wood product processing facilities: HB 1182

TAXES - CIGARETTES AND TOBACCO

Drug trafficking enforcement unit: 2nd Sub HB 603

Increased, cancer research, funds use: HB 885

Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV

Unfair cigarette sales act, renamed: *HB 1092, CH 16 E1 (1982)

TAXES - DEFERRALS

Manufacturing firms, investments, tax payment requirements: SB 4402

Property tax, retired person, senior, disabled: Sub HB 506, Sub HB 647

TAXES - EXCISE

Aircraft, schedule preparation: HB 785

Cogeneration facilities, tax credit approval: HB 1190

Cogeneration facilities, tax credit limitation: SB 4607

Convention and trade center: *Sub HB 1015, CH 34 (1982)

Hotel, motel revenues, police, fire services: HB 1115

Hotel, motel, special tax receipts, municipal park facilities: SB 3318

Local government, purchase contracts: HB 1231

Local government, taxing powers: *SB 4972, CH 49 E1 (1982)

Luxury goods, as defined: HB 1077

Payments, collections, penalties, procedures revised: HB 772, HB 785

Payments, due date specified: HB 789

Pollution control, tax credits: HB 1190

Proportional registration: Sub SB 3993

Real property sales, local: *SB 4972, CH 49 E1 (1982)

TAXES - EXCISE—cont.

Registration certificate, nonrefundable deposit: *HB 765, CH 4 E1 (1982)
 Resale certificates, personal, nontransferable: HB 1043
 Service districts, counties, voter approval: HB 846
 Solid waste disposal districts: *Sub HB 221, CH 175 (1982)
 Surtaxes, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV
 Timber harvest, public lands: *HB 1245, CH 4 E2 (1982)
 Travel trailers, campers, excise tax payment: HB 992

TAXES - MISCELLANEOUS

Conveyances, temporary surtax imposed: *SB 4250, CH 35 E1 (1982)
 Fire protection districts, leasehold excise: Sub SB 3512
 Fish privilege, temporary surtax imposed: *SB 4250, CH 35 E1 (1982)
 Income: HB 1194, HJR 26
 Leasehold excise tax account: *Sub HB 773, CH 4 E2 (1981)
 Oil and gas conservation committee: Sub SB 4944
 Oil and gas severance and conservation tax act: HB 814

TAXES - MOTOR VEHICLE EXCISE

County auditors, collection fee: Sub SB 3044
 Municipal sales and use tax equalization account: HB 817, HB 1219, SB 4421, *SB 4972,
 CH 49 E1 (1982)
 Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV
 Vehicles, ride-sharing: *Sub SB 4545, CH 142 (1982)

TAXES - MOTOR VEHICLE FUELS

Multistate motor fuel tax agreement: *Sub SB 4562, CH 161 (1982)
 Selling price, omission permitted: *HB 854, CH 6 E1 (1982)

TAXES - PROPERTY

Appeals, prohibitions specified: HB 1168
 Businesses, depressed areas, tax credits: HB 889, HJR 18
 Business inventories, exemption: HB 791, HB 948
 Claims, audited, disqualifying factors: Sub HB 506
 Community redevelopment financing act: HB 1001, *2nd Sub SB 4603, CH 42 E1 (1982)
 Construction, new, assessment rolls: *Sub SB 3783, CH 46 E1 (1982)
 County indicated ratios: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
 County road revenues, restrictions: HB 35
 Cultural arts, stadium, and convention districts: *Sub HB 1156, CH 22 E1 (1982)
 Current use valuation: HB 1191, HB 1218, HJR 24
 Deferrals, claimant, redefined: Sub HB 506, Sub HB 647
 Discount, April 30 payment in full: HB 819, *Sub SB 3398 V
 Exemptions, rentals, lease cancellation: Sub HB 961
 Forest land, current use valuation: Sub HB 1
 Game lands, county relinquishment: SB 3930
 Historic property, assessment, classification application, disqualification: 2nd Sub SB 3025
 Intangible personal property, property income: HB 845, HJR 15
 Land, current use classification removal: Sub SB 4617
 Levy limit, determination provisions modified: Sub HB 17
 Levy, state, apportionment adjustments: *SB 4634, CH 28 E1 (1982)
 LID's, formation, financing, bonds: HB 519
 Metropolitan municipal corporations, certain, authorized: HB 723
 Mobile homes, travel trailers, campers, used: HB 1206
 Nursing homes, costs, deduction: HB 921
 Payment, monthly, minimum, annual date: HB 1211
 Public improvements, indebtedness: HJR 21, *Sub SJR 143 E1 (1982)
 Road districts, excess levies authorized: HB 370
 Schools, excess levy maintenance and operation: HB 998
 Schools, 106% levy lid, state exclusion: HB 312

TAXES - PROPERTY—cont.

Senior citizens, disabled persons, exemption: Sub HB 78, HB 384
 Single family dwellings, new: HB 1095
 Solid waste disposal districts: *Sub HB 221, CH 175 (1982)
 Taxable property, examination: Sub HB 612, *Sub SB 3783, CH 46 E1 (1982)
 Tax deductions, continuation and increase petitioned: HJM 21
 Timber, standing on public land, business inventory: HB 821
 Timber, public lands, excise tax: *HB 1245, CH 4 E2 (1982)
 Valuation, annual adjustment: HB 1183

TAXES - PUBLIC UTILITY

Cities, towns, rates, ordinance: *SB 4972, CH 49 E1 (1982)
 Counties, unincorporated areas: HB 1219
 Natural gas companies, state-wide operation, increased: SB 4585
 Surtax, temporary, imposed: *SB 4250, CH 35 E1 (1982) PV

TAXES - SALES AND USE

Advertising, inclusion: HB 1203
 Architects, attorneys, services, inclusion: HB 1227
 Cities, counties, additional: HB 817, HB 1219, SB 4421, *SB 4972, CH 49 E1 (1982)
 Counties, additional, imposition required: HB 1235
 Debts, bad, payment not required: HB 991, *SB 4250, CH 35 E1 (1982) PV
 Definition, revisions: HB 785
 Exemption permits: HB 1201, *Sub HB 840, CH 5 E1 (1982)
 Food: *SB 4250, CH 35 E1 (1982) PV
 Food products, as specified, exemption removed: HB 1199
 Increase, temporary, conditions prescribed: HB 761
 Increase, temporary, deleted: HB 845
 Increase, temporary, food stamp purchases exemption: HB 1214
 Increase, temporary, time frame, established: *2nd Sub HB 788, CH 8 E2 (1981)
 Liquor sales, by individual glass: HB 1147
 Local government, taxing powers: *SB 4972, CH 49 E1 (1982)
 Local sales and use tax account: *Sub HB 773, CH 4 E2 (1981)
 Luxury goods, special excise tax: HB 1077
 Mobile homes, rental, lease: HB 1206
 Municipal sales and use tax equalization account: HB 817, HB 1219, SB 4421, *SB 4972,
 CH 49 E1 (1982)
 Prepayment, locally imposed taxes: Sub HB 1140, *Sub SB 4859, CH 211 (1982)
 Professional, personal services, definition inclusion: HB 785
 Studded tires, special tax imposed: HB 1137
 Trade-in allowances, selling price: HB 755
 Transportation costs, use measure: HB 963

TAXES - TIMBER EXCISE

Harvesters, inclusion, existing contracts exemption: SB 4399
 Harvesters, surcharge imposed: *SB 4250, CH 35 E1 (1982) PV, *HB 1245, CH 4 E2
 (1982)
 Reforestation lands, declassified: HB 1205

TAXICABS

Appeals, certain, property owners: Sub HB 962

TEACHERS' RETIREMENT SYSTEM

Allowances, deductions, payment: Sub HB 733
 Deductions, monthly, group insurance or health care benefit plans: HB 989, *SB 4468, CH
 135 (1982)
 Early retirement, conditions specified: *2nd Sub HB 124, CH 54 E1 (1982) PV
 Lump sum payments authorized: *SB 4638, CH 144 (1982)

TEACHERS (See also **TEACHERS' RETIREMENT SYSTEM**)

Attendance incentive program: HB 803
 Certificated employees, discharge, appeal provisions: Sub HB 790
 Schools, abuse prevention programs: HCR 35, Sub SCR 134

TELEGRAPH AND TELEPHONES

Charges, mileage, toll, electronic data: HB 949
 Public disclosure commission, hotline program: Sub SB 3249
 Rates, increases, UTC orders compliance requirement: HB 1177
 Rates, proposed increases, customer information: HB 1091
 Telephone systems, joint select committee: *HCR 33 (1982)
 Utility service, counties, unincorporated areas: HB 1219

TELEVISION AND RADIO

Adults only materials, sale, exhibit, minors: HB 1081
 Obscene materials, performances, definitions: HB 927
 Political advertising, violations: HB 472

THE EVERGREEN STATE COLLEGE

Abolished, shutdown procedures prescribed: HB 793
 Appropriations reduced: HB 1257
 Travel, reduction specified: *Sub HB 811, CH 14 E2 (1981) PV
 Tuition, fee surcharge: HB 1260

THERMAL POWER

Cogeneration facilities, tax credit approval: HB 1190
 Cogeneration facilities, tax credit: *SB 3394, CH 2 E1 (1982)
 Cogeneration facilities, tax credit limitation provisions: SB 4607
 EFSEC, thermal, geothermal, cogeneration plants, authority: Sub HB 912
 Energy facilities, new applications, feasible alternatives: HB 975

THURSTON COUNTY

Centennial commission, plan development: HB 183
 Courthouse, former, demolition: Sub HB 1176

TIDELANDS

Aquatic lands code: *Sub SB 4824, CH 21 E1 (1982)
 Aquatic lands task force: 2nd Sub HB 1093
 Leases, proceeds, percentage: HB 1108
 Leases, requirements modified: SB 3565

TIME-SHARING

Camping clubs, contracts: *HB 1017, CH 69 (1982)
 Real estate, regulated: 2nd Sub SB 3775

TORTS

Comparative fault: *SB 4691, CH 100 (1982)

TOURISM

Expo '86, joint select committee, established: *SCR 138 E1 (1982)
 State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)
 Tourism, industrial promotion: HB 813

TOUTLE RIVER

Dredge spoil site, acquisition: *Sub SB 4510, CH 7 (1982)
 Milwaukee railroad, right-of-way, acquisition: *Sub HB 811, CH 14 E2 (1981) PV

TRADE FAIRS

State trade fair fund, surplus funds: *HB 780, CH 2 E2 (1981)

TRAFFIC, TRAFFIC CONTROL, TRAFFIC INFRACTIONS

Accidents, motor vehicles, official business, report requirement: *SB 3233, CH 52 (1982)
 Bicycles, redefined, limited access roadways use: *Sub SB 4460, CH 55 (1982)
 Child safety restraints: Sub HB 288, SB 4548

TRAFFIC, TRAFFIC CONTROL, TRAFFIC INFRACTIONS—cont.

Deferred prosecution program, traffic infractions: Sub SB 4819, *HB 600, CH 47 E1 (1982)
PV

Drinking deterrence and treatment fund: HB 1164, HB 1229

Juveniles, court costs provision: HB 1056, SB 4733

Motor vehicles, emission control program: Sub HB 1086

Motor vehicles, nonresident violator compact: *Sub SB 4750, CH 212 (1982)

Notice, response time increased: HB 1050, HB 1186

Parking, notice, local penalties: *SB 4492, CH 12 E1 (1982)

Parking, reserved, disabled persons: SB 3001

Parking, violations, unpaid: *Sub HB 268, CH 14 E1 (1982)

Traffic safety commission, governor's absence: *Sub HB 946, CH 30 (1982)

Traffic safety commission, transferred: HB 913, Sub SB 4586

Traffic safety education account, discontinued: HB 779, HB 800

TRAILS AND PATHS

Bicycles, facilities, construction: *Sub SB 4460, CH 55 (1982)

TRAINING

Criminal justice training commission: *HB 1066, CH 124 (1982)

Fire service training center: *Sub HB 1230, CH 48 E1 (1982) PV

Insect stings, shots, certified personnel: HB 928

Posttraumatic stress disorder training: HB 470

Students, completion, public assistance authorized: *2nd Sub HB 756, CH 10 E2 (1981)

Voluntary motorcycle education and training program: *Sub SB 4692, CH 77 (1982)

TRANSPORTATION COMMISSION, STATE

Federal-aid apportionments, highway construction: *Sub SB 4469, CH 19 (1982)

Ferry system operation, emergency: HB 952

TRANSPORTATION DEPARTMENT

Aeronautics division, local airports, airport system plan, state-owned emergency airports, search and rescue program, appropriation: *Sub SB 3946, CH 25 E1 (1982) PV

Airports, near subdivisions, DOT secretary notification required: *HB 330, CH 23 (1982)

Budget, 1981-83 biennium: *SB 4549, CH 57 (1982)

Common carriers, bills of lading: *HB 457, CH 83 (1982)

Counties, motor vehicle funds: *SB 4713, CH 33 (1982)

Equipment commission: *SB 4551, CH 106 (1982)

Ferries, historic, disposition regulated: *SB 4956, CH 210 (1982)

Ferry system, employees, labor relations: HB 1107, HB 1232, Sub SB 4609

Ferry system operation, emergency: HB 952

Firewood harvesting, transportation: Sub HB 643

Hazardous materials, transportation incidents: HB 816

Interstate highways, improvements: HB 877, *Sub SB 4469, CH 19 (1982)

Milwaukee road select committee, establishment: *SCR 143 E1 (1982)

Motor vehicle fuel excise tax: *HB 854, CH 6 E1 (1982)

Motor vehicle fund distributions, counties: HB 595

Motor vehicle transportation companies: HB 764

Multistate motor fuel tax agreement: *Sub SB 4562, CH 161 (1982)

Real estate, acquisition: *Sub HB 810, CH 41 (1982)

Speeding violations: Sub SB 3518

Speed limit, maximum, national: HB 576

State Route 504, Spirit Lake Memorial Highway: *SB 4706, CH 82 (1982)

Urban arterial board, membership: *Sub HB 452, CH 209 (1982)

TRAVEL

Reduction, state agencies: *Sub HB 811, CH 14 E2 (1981) PV

TRAVEL TRAILERS

Dealers, inventory, used, ad valorem taxation exemption: HB 1206

TRAVEL TRAILERS—cont.

Excise tax, due date, delinquent interest rate, liens: HB 922

TREATIES

Salmon fishing, treaty Indian fisheries: *SB 4522, CH 197 (1982)

TRESPASS

Railroad trespassers, injury, death, employee liability immunity: HB 114, *SB 4512, CH 141 (1982)

TRI-CITIES

Energy fair '83, OFM appropriation: HB 1062, *Sub SB 4369, CH 50 E1 (1982) PV

Pasco-Kennewick bridge, across Columbia River: 2nd Sub SB 3027

TRUCKS AND TRACTORS

Common carriers, hazardous materials: *HB 457, CH 83 (1982)

Industry, partial deregulation: Sub SCR 107

Motor freight carriers, commercial zones: *SB 4484, CH 71 (1982)

Multistate motor fuel tax agreement: *Sub SB 4562, CH 161 (1982)

Proportional registration: Sub SB 3993

Workers compensation, truck owner-operators: *SB 4558, CH 80 (1982)

TRUST COMPANIES

Examinations, banking supervisor, fee schedule: HB 935

Investments, production credit associations: *HB 1074, CH 86 (1982)

Reorganization, bank holding companies: HB 924, *Sub HB 936, CH 196 (1982)

TRUSTS

State investment board commingled trust fund, established: *SB 4644, CH 58 (1982)

TUITION AND FEES - HIGHER EDUCATION

Assistance programs, federal funds: HJM 26, *Sub SJM 118 (1982)

Cancellation, refunds, higher education, implementation: Sub HB 115

Exceptional educational ability, waiver conditions: Sub SB 3347

Idaho, reciprocity authorized, revenue losses computation: HB 461

Legislature, establishment mandated, as specified: HB 1111

Miscellaneous changes prescribed: *2nd Sub HB 784, CH 37 E1 (1982)

Surcharge, fee, increased: HB 1260

UNEMPLOYMENT COMPENSATION BENEFITS

Additional, as specified, eligibility period established: HB 1033, HB 1223, SB 4661, *Sub SB 4216, CH 18 E1 (1982)

Budget stabilization act, supplemental compensation: Sub HB 1109

Child support, obligations: HB 809, HB 1033, SB 4661, *Sub SB 4216, CH 18 E1 (1982),

*Sub SB 4418, CH 201 (1982)

Contributions, wages subject, specified: HB 1208

Disqualification, labor dispute, modified: HB 660, *SB 3944 V

Shared work, payment authorized, as specified: HB 1076, SB 4745

Voluntary quit, disqualification: HB 165

UNEMPLOYMENT (See also EMPLOYEES; EMPLOYERS)

Budget stabilization account, establishment: Sub HJR 13

Budget stabilization account, transfers: *Sub HB 1109, CH 36 E1 (1982)

Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)

Economic assistance authority: HB 1101

Enterprise zone act, passage petitioned: HJM 22

Export assistance centers: Sub HB 1141

Industrial development revenue bonds, nursing homes: HB 1138

Job service program, reemployment provisions: HB 1097

Labor skills, economy, joint select committee created: HCR 45

Sewer lines, new, referendum 39 bond moneys, use: SB 4877

Timber contracts, forest products industry employment recovery act, enacted: HB 1037

UNEMPLOYMENT—cont.

Timber sales, procedures, modifications: *HCR 42 (1982)

UNFAIR BUSINESS PRACTICES

Attorney general, presuit depositions: *Sub SB 3913, CH 137 (1982)

Counselors, professional, mental health: HB 953

Gasoline prices, display visible: HB 881

Mobile home landlord-tenant act, violations: HB 917

UNFAIR LABOR PRACTICES

Complaints, filing period limitation: HB 1133

Human rights commission, complaint copy requirement: Sub HB 926

Improper governmental actions, disclosure: *Sub HB 593, CH 208 (1982)

UNIFORM COMMERCIAL CODE

Port districts, property, personal, sales, secured party rights granted, purchase price, deposit, annual payment requirements: *SB 4571, CH 75 (1982)

Secure transactions, financing statements: *HB 822, CH 186 (1982)

UNIFORMS

Militia, organized, allowance: *SB 3847, CH 93 (1982)

UNIVERSITY OF WASHINGTON

Admission, guaranteed, excellence in education act, enacted: HB 919

Appropriations, reduced: HB 1257

Excellence in education act: HB 919

Insurance, proprietary coverage: HB 933

Laundry services, private sector contracts allowed: Sub HB 1216

Tuition, fee surcharge: HB 1260

URBAN ARTERIAL BOARD

Membership, city council members: *Sub HB 452, CH 209 (1982)

UTILITIES AND TRANSPORTATION COMMISSION

Common carriers, bills of lading, hazardous materials: *HB 457, CH 83 (1982)

Electric rate structures, inverted: SB 4616

Motor freight carriers, commercial zones, terminal areas established: *SB 4484, CH 71 (1982)

Public counsel, office, LBC establishment: HB 827

Public service commission, name change: SB 3898

Public service companies, proposed rate increases: HB 1091

Railroad crossings, protective devices: *Sub SB 3927, CH 94 (1982)

Railroad trespassers, employee liability immunity: HB 114, *SB 4512, CH 141 (1982)

Telephones, telegraph, rate increases: HB 1177

Transportation tariff docket hearings: *HB 907, CH 189 (1982)

Trucking industry, partial deregulation: Sub SCR 107

Water companies, regulation exclusion: HB 1030

UTILITIES

Cities, districts, public power contracts: HB 1233

Connection charges, cities, counties: Sub HB 1014

Electrical rate increases, nuclear plants 4, 5, construction: HB 1212

Electric rate structures, inverted: SB 4616

Electricity, consumption and use tax: SB 5013

Electricity, light and power business, gross income tax: *SB 5014, CH 9 E2 (1982)

Energy facilities, as defined, new applications: HB 975

Meters, tampering with, rebuttable presumption created: HB 1034

Natural gas companies, state-wide operation: SB 4585

Natural gas distributors, tax rate modified: *HB 1248, CH 5 E2 (1982)

Rates, proposed increases, customer information: HB 1091

Telephone companies, charges: HB 949

UTILITIES—cont.

- Telephone systems, joint select committee, establishment: *HCR 33 (1982)
- Unclaimed property, disposition, time period reduced: HB 1128, *Sub HB 766, CH 1 E2 (1981)
- Utility rates task force, created: HCR 40
- Water companies, UTC regulation exclusion: HB 1030
- Water heaters, temperature setting requirements: Sub HB 973

VENDORS

- Community college education board, payments, state treasurer duties specified: *HB 1036, CH 50 (1982)

VESSELS

- Boating registration system, mandatory: HB 1100
- Crab licenses, commercial: HB 842, *SB 4464, CH 157 (1982)
- Food fish, shellfish vessels, taking, molesting, penalty prescribed: *HB 46, CH 14 (1982)
- Salmon fishing, commercial, buy-back program extended: HB 841

VETERANS AND VETERANS AFFAIRS DEPARTMENT

- Agent orange, delayed stress syndrome, symptoms: *SB 4619, CH 97 (1982)
- License plates, free, disabled, prisoners of war: *HB 623, CH 115 (1982)
- Loan insurance, references deleted: HB 972, SB 3017
- Memorial parks, cemeteries, feasibility study: HB 836
- Termination, sunset act, date established: SB 4626, *Sub HB 875, CH 223 (1982) PV

VETERINARIANS

- Regulations revised: *SB 4718, CH 134 (1982)

VIDEO GAMES

- Amusement devices, as defined, B&O tax imposed: HB 1202

VISITATION RIGHTS

- Grandparents, court petition provision: HB 1049

VOCATIONAL EDUCATION AND VOCATIONAL EDUCATION, COMMISSION FOR

- Abolished, SPI, community college education board: HB 1040
- Displaced homemaker program: *HB 286, CH 15 E1 (1982)
- Fire service training center, bonding authority: *Sub HB 1230, CH 48 E1 (1982) PV
- Functions, federally required, redefined: HB 1026
- High school education completion: *Sub HB 848, CH 118 (1982)
- Motorcycle education courses, offering required: Sub SB 3381
- Vocational agricultural education unit, SPI: HB 1221

VOCATIONAL REHABILITATION

- Printing services, sheltered workshops: *Sub HB 1024, CH 164 (1982)
- Workers' compensation, provisions modified: *HB 454, CH 63 (1982)

VOLUNTEERS AND VOLUNTEERING

- Center for voluntary action: *Sub HB 923, CH 11 E1 (1982)
- Inmates, leaves of absence: HB 967
- Mental health contributions account: HB 1204
- Nursing homes, patients, publicly supported: Sub HB 1158
- State parks, volunteer work: HB 843, *SB 4477, CH 156 (1982)
- Volunteer counseling services, offenders: HB 1106

VOTERS AND VOTING (See also ELECTIONS)

- Absentee ballots, hospital patients: Sub HB 43
- Citizen councilors, positions created: Sub HB 995
- Initiatives, referendums, petition requirements updated: *Sub HB 663, CH 116 (1982)
- Intangible personal property: HB 845, HJR 15
- Legislative districts, 12 and 13, modified: HB 1085
- Legislative districts, 40 and 42, modified: HB 1188

VOTERS AND VOTING—cont.

Legislative district, 35, boundaries clarified: *HB 775, CH 5 E2 (1981)
 Pamphlet, bond measures, information: Sub HB 11
 Port districts, industrial development levies: *Sub SB 4963, CH 3 E1 (1982)
 Precincts, class AA counties, five hundred registered voters allowed: HB 1159
 Qualifications, previously found unconstitutional, repealed: *SB 4749, CH 99 (1982)
 Redistricting commission, establishment: HJR 14, Sub SJR 108
 Registration, lists, deceased persons: Sub HB 148
 Sales tax, temporary increase, deleted: HB 845
 School community recreation districts: HB 1155
 School directors, election, running at large: Sub HB 279
 School districts, joint, ESD superintendent: HB 188, SB 3242
 Schools, bond elections: HB 997
 Schools, excess levy elections, forty percent validation requirement removed: HJR 20
 Tribal claims, rights, fish, other natural resources, settlement, petitioned: HJM 20
 Voting boundary commission act, redistricting: Sub HB 786, *Sub HB 787 CH 2 (1982)
 Voting devices, approval authority transferred: *HB 572, CH 40 (1982)

WAGERS

Arabian horses, parimutuel betting system: *SB 4584, CH 132 (1982)
 Exotic races, parimutuel receipts: *Sub SB 4708, CH 32 (1982)
 Horse racing, gross receipts, percentage: HB 1215
 Horse racing, parimutuel payoff prices: HB 1224
 Jukebox selections, food, beverage establishments: HB 1123

WARRANTS - LEGAL

Administrative inspections, issuance: Sub SB 4494
 Arraignment by counsel, court permitting waiver: HB 1192
 Arrest, escapees, issuance authorized: HB 970

WASHINGTON PUBLIC POWER SUPPLY SYSTEM

Bond authorization elections, major public energy projects: *HB 1174, CH 88 (1982)
 Energy facilities, as defined, new applications: HB 975
 Monitoring, special legislative committee created: HCR 46, SCR 145
 Nuclear plants, management: HB 1217
 Nuclear plants 4, 5, construction: HB 1212

WASHINGTON STATE PATROL

Accidents, motor vehicles, official business: *SB 3233, CH 52 (1982)
 Civil immunity, as specified, provided: HB 1008
 Conviction records, release: *Sub SB 4775, CH 202 (1982)
 Criminal history record information systems: HB 1064
 Drinking deterrence and treatment fund: HB 1164, HB 1229
 Drug trafficking enforcement unit, created: 2nd Sub HB 603
 Early retirement conditions: *2nd Sub HB 124, CH 54 E1 (1982) PV
 Equipment commission: *SB 4551, CH 106 (1982)
 Public safety account, created: HB 779
 Retirement, general revisors: HB 990, *SB 4640, CH 52 E1 (1982)
 Riots, penal institutions, assistance: *Sub HB 965, CH 49 (1982)
 Threats, as specified, class C felony, WSP investigation: *HB 745, CH 185 (1982)

WASHINGTON STATE UNIVERSITY

Admission, guaranteed, excellence in education act, enacted: HB 919
 Appropriations reduced: HB 1257
 Travel, reduction specified: *Sub HB 811, CH 14 E2 (1981) PV
 Tuition, fee surcharge: HB 1260
 Waste water treatment plant: HB 1078, *Sub HB 1230, CH 48 E1 (1982) PV
 Wine grape production, industry research: Sub HB 893

WASTE DISPOSAL (See also POLLUTION CONTROL)

- Garbage disposal sites, county road funds: HB 35
- Referendum 39, bond moneys, new sewer lines, use authorized: SB 4877
- Referendum 39, state, local improvements accounts appropriations increased: *Sub HB 1230, CH 48 E1 (1982) PV
- Sanitary landfills, operation cessation: HB 1171
- Truck industry, partial deregulation: Sub SCR 107

WASTEWATER DISPOSAL

- Treatment plant, WSU/Pullman, improvements, WSU appropriation: HB 1078, *Sub HB 1230, CH 48 E1 (1982) PV
- Wastewater outfall, operation: *Sub HB 811, CH 14 E2 (1982) PV
- Wastewater treatment outfall, establishment: HB 802

WATER AND WATER DISTRICTS

- Annexation, procedures prescribed: *SB 4064, CH 146 (1982)
- Companies, UTC regulation exclusion: HB 1030
- Comprehensive plans: *Sub SB 4481, CH 213 (1982)
- Current use valuation, aquatic lands: HB 1191, HJR 24
- Development charges, prohibition exclusion: Sub HB 312, *SB 4972, CH 49 E1 (1982)
- Federal land and water conservation: SJM 120
- Formation, annexation, consolidation: *HB 1145, CH 17 E1 (1982)
- Lake Osoyoos international water control structure: *Sub SB 4846, CH 76 (1982)
- LID's, water enhancement projects authorized: HB 1172
- Materials, work, improvements: *SB 4905, CH 104 (1982)
- Pollution control, tax credits: HB 777, HB 1190
- Short-term obligations, existing bonds: *Sub SB 4728, CH 216 (1982)
- Street lighting systems, establishment: *SB 4602, CH 105 (1982)
- Territory withdrawing, assets distribution specified: HB 1136
- Water supply facilities, DSHS appropriation: *Sub HB 1230, CH 48 E1 (1982) PV

WATER RIGHTS

- Dams, ditches, etc, restrictions: HB 978
- Determination, appeals, state obligation: *Sub HB 449, CH 15 (1982)

WEAPONS (See also GUNS)

- Nuclear weapons, freeze urged: SJR 133
- School premises, firearms, dangerous weapons prohibited: Sub HB 898, *HB 600, CH 47 E1 (1982) PV

WEIGHTS AND MEASURES

- Bread, weight and size standards repealed: Sub HB 900
- Weight tickets, certified, commodities: HB 901

WELLS (See also WATER WELLS)

- Oil and gas conservation committee: Sub SB 4944

WHATCOM COUNTY

- Legislative districts, 40 and 42, modified: HB 1188

WHOLESALE AND DISTRIBUTORS

- Adults only materials, sale, exhibit: HB 1081
- Alcoholic beverage business: Sub SB 4546, HB 862, *Sub HB 1063, CH 85 (1982)
- Businesses, licensed retail, persons eligible to hold interest in: HB 792
- Cigarette, license fees increased: *HB 1092, CH 16 E1 (1982)
- Drinking deterrence and treatment fund: HB 1229
- Meat products, perishable: HB 1004
- Motor fuel, gas tax, selling price: *HB 854, CH 6 E1 (1982)
- Obscene materials, performances: HB 927
- Wine, beer, licensees, instruction: *SB 4748, CH 26 E1 (1982) PV
- Wine importers, wholesalers, financial interests: HB 862

* - Measures Passed by Both House and Senate and Confirmed Governatorial Appointments

WHOLESALEERS AND DISTRIBUTORS—cont.

- Wine instruction, licensees, enology study groups: Sub SB 4526
- Wine licenses, J, wine dispensing equipment: Sub SB 4755
- Wineries, domestic, wholesale: HB 1090, *Sub HB 1063, CH 85 (1982)

WILDLIFE

- Big game, endangered species: *Sub HB 834, CH 31 (1982)
- Businesses, handling, selling: *SB 4466, CH 152 (1982)
- Check stations, game department: *Sub SB 4550, CH 155 (1982)
- Hunting, interference with, prohibited: HB 1055
- Mountain goats, sheep, game license fees increased: SB 4726

WINE AND WINERIES

- Alcohol amount, volume definition: *Sub HB 571, CH 39 (1982)
- Domestic, class J license provision: *Sub HB 1063, CH 85 (1982)
- Grape production, industry research, instruction programs, WSU: Sub HB 893, Sub SB 3408
- Hospitals, nursing homes, wine, beer by the glass, patients, family members, visitors, offering allowed: *Sub HB 1063, CH 85 (1982)
- Instruction, licensees, permitted: Sub SB 4526, *SB 4748, CH 26 E1 (1982) PV
- Licenses, class J, wine dispensing equipment: Sub SB 4755
- Sales, state liquor stores, authority removed: Sub HB 1039
- Sales, surtax imposed: *SB 4250, CH 35 E1 (1982) PV

WINTER RECREATION ACTIVITIES

- Parks and recreation commission, authority: HB 386, *SB 3737, CH 11 (1982)
- Winter recreation commission, established: *Sub SB 4841, CH 27 E1 (1982)

WITNESSES

- Civil actions, prevailing parties, expense award provision: SB 3112
- Spouse, disqualification, criminal actions: *SB 4474, CH 56 (1982)
- Tampering, criminal prohibitions expanded: *HB 600, CH 47 E1 (1982) PV

WOMEN

- Abortion, induced premature birth, medical care services prohibited: *2nd Sub HB 756, CH 10 E2 (1981)
- Abortion, informed consent requirement: Sub HB 226

WOOD AND WOOD PRODUCTS

- Firewood harvesting, transportation: Sub HB 643
- Processing facilities, metric system conversion: HB 1182

WORKERS' COMPENSATION - INDUSTRIAL INSURANCE AND SAFETY

- Acting in the course of employment, travel time, definition exclusion: Sub HB 1127
- Appeals procedures revised, hearing examiners: *SB 4947, CH 109 (1982)
- Appeals, worker prevailing, attorney's fees, payment provision: HB 1070
- Benefits, adjustments, reflect changes average monthly wages: *SB 4133, CH 20 E1 (1982)
- ESD's school districts, self-insurers, authorized: Sub SB 4648
- General revisions: *HB 454, CH 63 (1982)
- Industrial welfare committee, abolished: Sub HB 858, HB 1058, *Sub HB 762, CH 163 (1982)
- Juveniles, offenses, monetary penalties: HB 1056, SB 4733
- Self-insurers, claim denial: *SB 4133, CH 20 E1 (1982)
- Self-insurers, educational service district: Sub SB 4648
- Truck owner-operators, not considered worker: *SB 4558, CH 80 (1982)

WORK RELEASE

- Facilities, location, zoning laws applicability: HB 1236, *Sub HB 1230, CH 48 E1 (1982) PV

WORK (See also UNEMPLOYMENT COMPENSATION BENEFITS)

- AFDC recipients, able, work requirement: Sub HB 812

WORK—cont.

Community economic revitalization board, created: *2nd Sub HB 906, CH 40 E1 (1982)
Economic assistance authority, sunset: HB 1101
Enterprise zone act, passage petitioned: HJM 22
Export assistance centers, establishment: Sub HB 1141
Housing, industrial development bonds: HB 1197
Industrial development revenue bonds: HB 1138
Job service program, reemployment provisions: HB 1097
Labor skills, economy, joint select committee created: HCR 45

WORKSHOPS

Educational services registration act, seminars, workshops, exempted: Sub SB 4061

WRESTLING

Athletic commission, purpose stated, boxing definition, wrestling exclusion, contests supervision: Sub HB 858

YOUTH

Alcoholism, drug abuse programs: HB 850, *HB 410, CH 193 (1982)
Boating registrations system, mandatory: HB 1100
Children and families division, DSHS: HB 1209
Hiking trails, ORV moneys: SB 3823

YOUTH SERVICES CORPS

Hiking trails, ORV moneys, construction: SB 3823
Youth development, conservation corps: HB 273, *SB 4313, CH 70 (1982)

ZONING

Airports, near subdivisions: *HB 330, CH 23 (1982)
Cherry Point, shoreline, state-wide economic significance: *SB 4831 V
Hearings, notice requirements revised: Sub HB 1007
Residential density, building permit restrictions, necessity, local government burden of proof requirement: HB 1184
Work release facilities, location: HB 1236, *Sub HB 1230, CH 48 E1 (1982) PV

